

MINUTES OF THE CANANDAIGUA CITY COUNCIL MEETING
THURSDAY, DECEMBER 4, 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 David Whitcomb
Mayor Ellen Polimeni

Members Absent: Councilmember-at-Large James Terwilliger

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

Councilmember-at-Large Terwilliger is absent due to a business trip.

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 2014-005: A Local Law Establishing and Imposing Sewer Rents in the City of Canandaigua

Mayor Polimeni opened the public hearing at 7:00 PM

No one was present to speak at the public hearing.

Mayor Polimeni closed the public hearing at 7:01 PM

Approval of Minutes: Councilmember-at-Large Whitcomb moved for the approval of the Council Minutes of November 18, 2014. Councilmember-at-Large Taylor seconded the motion.

Vote Result: Carried unanimously by voice vote

Recognition of Guests: None

Committee Reports:

Finance: Mayor Polimeni summarized the budget process for the 2015 Budget Adoption that is on the agenda for tonight’s meeting.

Committee of the Whole: Mayor Polimeni reported that the Committee of the Whole met on November 25th, 2015 and discussed the following.

- MLK banners to be hung on Main St.
- Watershed Commission
- North Shore Project
- Canandaigua FL Resort berm changes
- Selection of Auditor
- Water Treatment Chemical Bids
- Watershed Council Intermunicipal Agreement

Chamber of Commerce: Alison Grems, President of the Chamber of Commerce spoke about the upcoming events.

Resolutions:

Resolution #2014-096:

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

**A RESOLUTION TO ADOPT THE 2015 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 2015 fiscal year;

NOW, THEREFORE, BE IT RESOLVED that the 2015 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	
	Adopted Budget
Expenditures	
General Government	\$ 1,736,109
Public Safety	3,659,726
Transportation	1,148,464
Economic Development	229,663

Recreation & Culture	874,662
Home & Community	539,843
Employee Benefits	2,922,290
Debt Service	-
Interfund Transfer	2,200,000
Contingency	100,000
Total Expenditures	<u><u>\$ 13,410,757</u></u>

Revenues

Property Taxes	\$ 4,858,985
Non-Property Taxes	4,611,163
Departmental Income	474,296
Intergovernmental Charges	508,595
Use of Money and Property	25,480
Licenses and Permits	76,100
Fines and Forfeitures	216,700
Sale of Property and Compensation for Loss	-
Miscellaneous	6,150
Interfund Revenues	343,713
State and Federal Aid	1,451,804
Interfund Transfers	290,000
Total Revenue	12,862,986
Appropriated Fund Balance	547,771
Total Revenue and Appropriated Fund Balance	<u><u>\$ 13,410,757</u></u>

Capital Fund

Expenditures	Adopted Budget
General Government	\$ 100,700
Public Safety - Police	138,232
Public Safety - Fire	244,000
Transportation	809,175
Culture and Recreation - Parks	161,400
Home and Community	230,000

Total Expenditures	<u><u>\$ 1,683,507</u></u>
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Revenues

Transfers from Reserves and Special Funds	1,355,872
Grants and Aid	115,000
CHIPS	<u>212,635</u>
Total Revenues	<u><u>\$ 1,683,507</u></u>

Debt Service Fund

Adopted Budget

Expenditures

Debt Service Payments	\$ 1,136,294
Debt Administration	<u>2,000</u>
Total Expenditures	<u><u>\$ 1,138,294</u></u>

Revenues

Interest	200
Appropriated Fund Balance	<u>1,350,000</u>
Total Revenue	1,350,200
Budget Surplus	<u>(211,906)</u>
Total Revenue and Appropriated Surplus	<u><u>\$ 1,138,294</u></u>

Water Fund

Adopted Budget

Expenditures

Water Treatment Plant (8320)	\$ 828,066
Water Distribution (8340)	499,900
Undistributed Costs	430,064
Interfund Transfers	440,000
Employee Benefits	369,962
Debt Service	493,281
Capital Budget	226,000

Total Expenditures	<u><u>\$ 3,287,273</u></u>
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Revenues

Water Charges	\$ 3,029,692
Charges to Other Gov'ts	2,500
Use of Money and Property	11,380
Other Revenue	9,700
Transfers from Reserves	<u>209,000</u>
Total Revenue	3,262,272
Appropriated Fund Balance	<u>25,001</u>
Total Revenue and Appropriated Fund Balance	<u><u>\$ 3,287,273</u></u>

Sewer Fund

Adopted Budget

Expenditures

Sewer Collection (8120)	\$ 244,273
Sewage Treatment Plant (8130)	980,975
Undistributed Costs	208,535
Interfund Transfers	485,475
Employee Benefits	297,632
Debt Service	614,178
Capital Budget	<u>293,000</u>
Total Expenditures	<u><u>\$ 3,124,068</u></u>

Revenues

Sewer Use Charges	\$ 1,550,348
Charges to Other Gov'ts	639,653
Use of Money and Property	2,500
Other Revenue	1,250
Transfers from Reserves	<u>795,654</u>
Total Revenue	2,989,405
Appropriated Fund Balance	<u>134,663</u>
Total Revenue and Appropriated Fund Balance	<u><u>\$ 3,124,068</u></u>

Technology Fund

	Adopted Budget
Expenditures	
Personnel Services	\$ 3,500
Equipment/Software	80,340
Materials & supplies	500
Contractual Services	184,432
Employee Benefits	635
Employee Benefits-FICA	268
Total Expenditures	\$ 269,675

Revenues	
City Tower Rentals	\$ 196,433
Interest Income	500
Other	-
Total Revenue	196,933
Appropriated Fund Balance	72,742
Total Revenue and Appropriated Fund Balance	\$ 269,675

General Fund

	Adopted Budget
Expenditures	
Total Expenditures (Carryover)	\$ 9,000
Revenues	
Interest	100
Appropriated Fund Balance	8,900
Total Revenue and Appropriated Surplus	\$ 9,000

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, 2015.

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 Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2014-097:

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

**A RESOLUTION ESTABLISHING THE 2015 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 2015 Budget;
and

WHEREAS, said budget calls for a property tax levy of \$4,646,474; 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 \$4,646,474 shall constitute a levy of the amount to be raised by taxation in 2015 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, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, Councilmember-at-Large Taylor, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2014-098:

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

A RESOLUTION AUTHORIZING COLLECTION OF COUNTY TAXES

BE IT RESOLVED, That the Canandaigua City Clerk/Treasurer is hereby directed to collect from the several persons and corporations named in the Assessment Roll to which this warrant is annexed, the several sums of money mentioned in the column thereof, to wit: the one marked "County Taxes" and set opposite to the name of such persons or corporations respectively, together with your fee thereon, as hereinafter provided; and further

RESOLVED, That upon delivery of said Roll and Warrant, the Clerk/Treasurer shall mail to each taxpayer against whom any tax shall be charged on such roll, at last known post office addresses, a statement of the amount of such tax, designating the Clerk/Treasurer's Office in said City, as the place for receiving payment of the taxes from January 2nd to January 31st, both dates inclusive, from nine o'clock in the morning until four forty-five o'clock in the afternoon, and any person may pay her/his tax at the time and place designated; and further

RESOLVED, That upon all taxes collected after January 31st, 2015 such Clerk/Treasurer shall collect one per centum; and after the expiration of said last day of February, collection of unpaid taxes shall proceed in the manner provided by the Statutes of the State of New York.

GIVEN UNDER THE HANDS OF THE MAYOR AND CLERK/TREASURER OF THE CITY OF CANANDAIGUA AND THE CORPORATION SEAL THEREOF THIS 4th DAY OF DECEMBER, 2014.

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 Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2014-099:

Councilmember Ward 2 Boni read the following Resolution and moved for its adoption. Councilmember Ward 3 White seconded the motion.

A RESOLUTION APPROVING THE 2015 BUSINESS IMPROVEMENT DISTRICT (BID) BUDGET, ESTABLISHING THE 2015 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 2015 BID budget will be accepted by the Board of Directors of the Downtown Canandaigua Business Management Association, Inc. at its meeting of December 17, 2014; and

WHEREAS, the BID's 2015 budget, a summary of which is attached hereto, includes an amount not to exceed \$34,013 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 2015 BID budget is hereby approved; and

BE IT FURTHER RESOLVED an amount not to exceed \$34,013 shall 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, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, Councilmember-at-Large Taylor, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2014-100:

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

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO CONTRACTS WITH SELECTED OUTSIDE AGENCIES
AS APPROVED IN THE 2015 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 2015 Budget.

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 Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2014-101:

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

A RESOLUTION ADOPTING THE

CITY OF CANANDAIGUA FEE SCHEDULE

WHEREAS, in accordance with the Municipal Code of the City of Canandaigua, various fees pertaining to applications, permits, inspections, and services shall be set by resolution of the City Council, and;

WHEREAS, the City Council has reviewed the proposed “City of Canandaigua Fee Schedule” as part of its 2015 budget process;

NOW, THEREFORE, BE IT RESOLVED by the Canandaigua City Council that:

Section 1. The “City of Canandaigua Fee Schedule” shall be adopted as attached.

Section 2. Said fees shall take effect January 1, 2015.

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 Whitcomb and Mayor Polimeni.

NOES: None.

Discussion: Mayor Polimeni solicited comments on the budget process from the Councilmembers. Much thanks to City Council for listening to everyone’s input and compromising on the budget and thank you to City staff for all the hard work putting the budget together.

Resolution #2014-102:

Councilmember Ward 1 Cutri read the following Resolution and moved for its adoption. Councilmember Ward 4 Wade seconded the motion.

A RESOLUTION AWARDING A FERROUS CHLORIDE SUPPLY CONTRACT FOR THE WASTEWATER TREATMENT FACILITY

WHEREAS, the Wastewater Treatment Facility uses ferrous chloride to assist in the treatment of sewage; and

WHEREAS, a bid opening was scheduled on November 14, 2014, to supply ferrous chloride for 2015 with two one-year mutually agreed upon extensions; and

WHEREAS, nine bidders were contacted, six failed to respond, one chose not to bid and two submitted bids; and

WHEREAS, Slack Chemical Company submitted the low bid of \$0.497 per gallon; and

WHEREAS, funding for this chemical usage is included in the Proposed 2015 Wastewater Treatment Facility Operating Budget; and

WHEREAS, the Director of Public Works and the City Manager recommend the contract be awarded to Slack Chemical Company, Inc., PO Box 30, 465 S. Clinton Street, Carthage, NY 13619, to supply ferrous chlorine, subject to budget appropriations in the 2015 budget;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City Manager to execute a contract with Slack Chemical Company, Inc., PO Box 30, 465 S. Clinton Street, Carthage, NY 13619, subject to the appropriations in the adopted 2015 City of Canandaigua Budget, for the purchase of ferrous chlorine during the 2015 calendar year at a unit price of \$0.497 per gallon.

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 Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2014-103:

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

A RESOLUTION OF CITY COUNCIL ISSUING AN AMENDMENT TO THE AMENDED FINAL SITE PLAN FOR THE PROPOSED STEAMBOAT LANDING HOTEL AND CONFERENCE CENTER PROJECT IN THE ROSEPARK PLANNED UNIT DEVELOPMENT

WHEREAS, the Canandaigua City Council received a request to amend the Amended Final Site Plan for the Rosepark Planned Unit Development with regard to the size of the proposed berm to be created as part of the proposed Steamboat Landing Hotel and Conference Center (the "Project") to be located at 205 Lakeshore Drive in the City of Canandaigua, County of Ontario (the "Project Site"), which Project was approved by Resolution #2013-017 on March 7, 2013; and

WHEREAS, the request from the Project Sponsor to revise the approved final site plans for the Project includes:

- 1) increasing the size of the proposed berm from 3 feet in height to 8 feet in height and utilizing 40 feet of the planned 50 foot greenspace; and
- 2) allowing temporary construction access on the public entranceway into the Project Site, with constructing staging details left to the authority of the City's Code Enforcement Officer, so long as public access to the public park is not restricted; and

WHEREAS, by Resolution #2014 - 091 the City Council determined that the proposed amendment was consistent with and in accordance with the elements and intent of the amended final plan as approved, and, pursuant to section 850-125(F) of the Code, the City Council referred the amendment for the Project to the Ontario County Planning Board for its analysis, recommendations and report; and

WHEREAS, on November 12, 2014, the Ontario County Planning Board referred the matter back to the City Council with no comments; and

WHEREAS, on November 18, 2014, the City Council conducted a public hearing on the amendment to the amended final site for the Project as required by Section 850-125(G)(1) of the Code;

NOW, THEREFORE, BE IT RESOLVED BY THE CANANDAIGUA CITY COUNCIL AS FOLLOWS:

1. The City Council hereby approves the amendment to the Amended Final Site Plan for the Project, a copy of which is on file in the Office of Development and Planning, conditioned upon the Applicant complying with the following requirements:

(a) All conditions set forth in Resolution #2009-180, Resolution #2010-093, and Resolution #2013-017 are continued unless otherwise modified herein.

(b) Preparation of updated construction staging plans to the City's Code Enforcement Officer, as requested, which plans may include, but are not necessarily limited to, a siting proposal for all staging areas where construction materials and equipment shall be located, as well as the manner in which staging shall occur in order to ensure that the adjoining municipal parking lots 'A' and 'B', as identified on the Staging Plan, Drawing 708, N-1, are accessible at all times during the construction of the Project. The berm on the east side of the project may be constructed simultaneous with the construction of the basement foundation. Taking into account the time of year, erosion control measures, which are approved or required by the City's Code Enforcement Officer, need to be installed on the entire berm and on all sides of the pond. This condition in no way is meant to limit or undermine the authority of the City's Code Enforcement Officer with respect to any other building code approvals. Any other erosion control measures or construction requirements, as required by the City's Code Enforcement Officer, for the issuance of any permits, or during construction shall be followed.

2. Upon satisfaction of the above conditions, including financial surety, and submission of a Schedule of Completion and a Schedule of Values for the Project, the City Council hereby directs the City Manager to endorse his approval on a copy of the amended Final Site Plan as approved herein, and directs him to forward said amended Final Site Plan to the City of Canandaigua Code Enforcement Officer for review and issuance of a demolition permit and a Building Permit in conformance with the approval and conditions set forth by the City Council in this Resolution.

3. At the Applicant's expense, the City, at the discretion of the City's Code Enforcement Officer and City Manager, may hire independent, third-party, qualified professionals for purposes of ensuring compliance with the New York State Building Code and Fire Prevention Code.

4. This Resolution shall take effect immediately upon adoption.

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 Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2014-104:

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

**A RESOLUTION RE-AUTHORIZING THE
INTERMUNICIPAL AGREEMENT TO CONTINUE
THE CANANDAIGUA LAKE WATERSHED COUNCIL**

WHEREAS, pursuant to Article 5-G, Sections 119-o and 239-n of the General Municipal Law of the State of New York, the City has the authority to enter into contracts and inter-municipal agreements necessary to carry out its respective functions for the benefit of the City; and

WHEREAS, in accordance with such authority, the City originally entered into a cooperative agreement with other local municipalities on December 10th, 1999 to create the Canandaigua Lake Watershed Council and the Canandaigua Lake Watershed Management Plan; and

WHEREAS, said inter-municipal agreement was reauthorized by the City in 2004 and 2010; and

WHEREAS, Canandaigua Lake and its surrounding 174 square mile watershed provides numerous benefits to the region including drinking water for approximately 70,000 people, varied recreational opportunities, scenic beauty, Natural Capital and ecological significance; and

WHEREAS, the goal of the Canandaigua Lake Watershed Council is to protect the lifeblood of this region- Canandaigua Lake and its surrounding watershed by maintaining and enhancing the high water quality of this watershed through the continued implementation of the comprehensive watershed protection program; and

WHEREAS, the parties to this agreement, desire to continue the Canandaigua Lake Watershed Council, which will provide the necessary leadership, coordination and commitment to successfully administer and oversee the implementation of the Watershed Protection Program and the 2014 Update to the Canandaigua Lake Watershed Management Plan, as may be amended by the Watershed Council from time to time; and

WHEREAS, The participating municipalities will work together cooperatively in the decision-making process and share the leadership and ownership in implementing the Watershed Program as outlined in the Watershed Council bylaws; and

WHEREAS, the continued successful protection of the watershed will require the leadership, coordination and commitment of the fourteen municipalities through the Canandaigua Lake Watershed Council;

NOW, THEREFORE, BE IT RESOLVED that the Canandaigua City Council authorizes the City Mayor to execute the attached "Inter-municipal Agreement regarding Canandaigua Lake Watershed Council" and funding for such agreement shall be from the Water Fund; and

BE IT FURTHER RESOLVED, that the City Mayor is hereby designated to represent the City of Canandaigua on the Canandaigua Lake Watershed Council

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 Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2014-105:

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

**A RESOLUTION OF THE CANANDAIGUA CITY COUNCIL ISSUING APPROVAL
FOR A REVISED FINAL PLAN FOR THE NORTH SHORE PROJECT
IN THE LAKEFRONT REDEVELOPMENT PLANNED UNIT DEVELOPMENT**

WHEREAS, On April 3, 2014, by Resolution #2014-035, the City Council adopted the final site plan of the proposed Phase I - North Shore Project with specified conditions; and

WHEREAS, On October 2, 2014, by Resolution #2014-076, the City Council adopted an amended final site plan of the proposed Phase I - North Shore Project, which approval included a final subdivision plat; and

WHEREAS, the Developer has indicated that an earlier version of the intended subdivision, with only three lots, was erroneously included with the approved final site plans; and

WHEREAS, Developer intended to seek approval for a 5-lot subdivision of the property, with three lots encompassing the mixed commercial/residential buildings, one lot encompassing the residential townhomes, and the remaining lot being the property intended to be dedicated to the City for a public parking lot; and

WHEREAS, this proposed 5-lot subdivision is necessary to complete the real estate and financial transactions to initiate this Project; and

WHEREAS, On November 25, 2014, a Committee-of-the-Whole Council reviewed the revised 5-lot subdivision plat for the proposed North Shore Project and recommends its approval;

NOW, THEREFORE BE IT RESOLVED, that the Canandaigua City Council approves the revised final plan of the North Shore Subdivision, as revised and dated 9/30/14, a copy of which is on file in the Office of the Director of Planning and Development; and

BE IT FURTHER RESOLVED, that said City Council approval shall constitute final plat approval under the City's subdivision regulations and, accordingly, the Chairman of the City Planning Commission is authorized to execute the revised final plat for filing in the Ontario County Clerk's Office.

This Resolution shall take effect immediately upon adoption.

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 Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2014-106:

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

**A RESOLUTION AUTHORIZING
A CONTRACT FOR AUDITING SERVICES**

WHEREAS, the City of Canandaigua uses the services of an independent auditor to review the financial records and to prepare financial statements with regard to those records; and

WHEREAS, the last request for proposals for auditing services was issued in 2005, and

WHEREAS, the Clerk-Treasurer issued requests of proposal for auditing services for the years ending December 31, 2014, 2015 and 2016; and

WHEREAS, the City Manager and the Clerk-Treasurer reviewed five proposals and recommends the selection of Raymond F. Wager, CPA P.C. to perform auditing services for the City of Canandaigua for the years ending December 31, 2014, 2015 and 2016; and

WHEREAS, Raymond F. Wager, CPA, P.C. has provided a proposal for financial statement audit services for the years ending December 31, 2014, 2015 and 2016 in the amount of \$13,950, \$14,500 and \$14,950 respectively; and

WHEREAS, a proposal for the federal single audit services (if required) for the years ending December 31, 2014, 2015 and 2016 in the amount of \$1,950 each year; and

WHEREAS, a proposal for the NYSDOT single audit services (if required) for the years ending December 31, 2014, 2015 and 2016 in the amount of \$1,000 each year; and

WHEREAS, this proposal was reviewed and approved at the November 25th Finance Committee Meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City Manager to enter into a three-year contract with Raymond F. Wager CPA., P.C. for auditing services for the years ending December 31, 2014, 2015 and 2016 for an amount not to exceed \$16,900, \$17,450 and \$17,900 respectively.

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 Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2014-107:

Councilmember Ward 4 Wade 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 A RENEWAL AGREEMENT
WITH HABITAT FOR HUMANITY OF ONTARIO COUNTY, NY**

WHEREAS, in March, 2014 the City of Canandaigua entered into an agreement with Habitat for Humanity of Ontario County, NY (Habitat) for the purposes of conducting a housing rehabilitation project; and

WHEREAS, the original scope of the project was limited to Chapin Street, but was later expanded to include the entire City of Canandaigua; and

WHEREAS, Habitat successfully recruited volunteers to improve eight homes throughout the City; and

WHEREAS, the City is desirous of entering into a renewal agreement with Habitat; 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 \$20,000 which will be funded from program income in the City's HUD CDBG Revolving Loan Fund and be utilized for materials and supplies;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby authorizes the City Manager to execute a renewal agreement with Habitat; and

BE IT FURTHER RESOLVED that this project will be funded from a not-to-exceed \$20,000 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 Whitcomb and Mayor Polimeni.

NOES: None.

Special Guests: Betsy Russell, Greg Russell, Marty Wheeler and Amy Colburn (artist): Mayor Polimeni read a proclamation for Betsy Russell recognizing her contribution to the City of Canandaigua's active transportation initiative, public art and historical culture.

Announcement: Councilmember-at-Large Taylor announced that he will be resigning his seat on City Council as of December 12th because he will be moving to Denver Co. to be closer to his daughter and grandson. He stated that it was an honor to serve the residents of the City, and thanked Council and staff. Mayor Polimeni stated that Bill certainly left his mark on the City of Canandaigua and thanked him for his many donations to the City.

Resolution #2014-108:

Mayor Polimeni read the following Resolution and moved for its adoption. Councilmember-at-Large Bucci seconded the motion.

**A RESOLUTION RECOGNIZING AND THANKING COUNCIL MEMBER
WILLIAM TAYLOR FOR HIS SERVICE TO THE CITY OF CANANDAIGUA**

WHEREAS, William (Bill) Taylor has served on the Canandaigua City Council as Council Member At-Large for the past three years; and

WHEREAS, prior to Bill's City Council service, Bill served on the Architectural Review Committee in 2006 and was a member of the Planning Commission from 2007 – 2011; and

WHEREAS, during his years of service on the City Council, Bill has served on the Planning Committee and as a member and Chair of the Environmental Committee; and

WHEREAS, during Bill's tenure in office as a Councilmember, many significant projects were completed including street construction projects, refurbishment of the sewage disposal plant, completion of the Main Street sidewalk project, redevelopment of the Antis Street Parking Lot, re-vegetation of the Lagoon Park; and

WHEREAS, Bill undertook the task of completing and presenting to Council the Complete Streets Program, and several activities that pertain to walkability in Canandaigua, including completion of the walkway from Main Street to the Pathways Trail, establishment of bike racks in the downtown area and the creation of public art on privately owned businesses; and

WHEREAS, Bill's tenure also saw the acceptance of final site plans for two large projects in Canandaigua, the Lakefront Development Plan and the Finger Lakes Conference and Hotel project; and

WHEREAS, all of these projects were accomplished while maintaining a tax rate lower than that of comparable small cities, and water and sewer rates lower than those of nearby communities; and

WHEREAS, such public service involves personal donations, sacrifice and time commitments and it is appropriate for the City government to pay tribute to Bill Taylor for his countless contributions to the quality of life in Canandaigua;

NOW, THEREFORE, BE IT RESOLVED that the Canandaigua City Council, on behalf of the residents of the City of Canandaigua, hereby recognizes, celebrates and thanks **Bill Taylor** for his dedicated service to the City of Canandaigua.

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

Ordinance:

Ordinance #2014-012: *(Introduced and tabled at the September 4 Council Meeting)*

**AN ORDINANCE AMENDING
CHAPTER 292 OF THE MUNICIPAL CODE
TO PROHIBIT PESTICIDES ON RIGHTS-OF-WAY**

This Ordinance remains on the table.

Ordinance #2014-013:

Councilmember Ward 2 Boni read the following ordinance and placed it on the table.

**AN ORDINANCE AMENDING
CHAPTER 850 - 18 OF THE MUNICIPAL CODE
RELATIVE TO TERM LIMITS OF THE ZONING BOARD OF APPEALS**

BE IT ENACTED by the City Council of the City of Canandaigua that:

Sec. 1 That Chapter 850-18 (A), is hereby amended as follows (*deleted language striken*):

§ 850-18	Zoning Board of Appeals.
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A. Creation of membership.

(1) There is hereby created a Zoning Board of Appeals having the powers authorized under § 81 of the General City Law of the State of New York and such powers and duties as are conferred by statute, charter, local law or ordinance. Said Board of Appeals shall consist of seven members. The Council shall appoint all members. All appointments to the Board of Appeals shall be for a term of three years. No citizen may serve more than three consecutive terms. Any vacancy occurring otherwise than by expiration of term shall be filled by appointment for the unexpired term only. ~~An appointment to serve the balance of an unexpired term shall count as a full term for the purpose of term limits.~~ After serving three consecutive full ~~or partial~~ terms, the citizen will not be eligible for a new appointment to any Board until a period of three years has passed.

(2) The Zoning Officer shall be the Secretary of the Board of Appeals but may not vote on any matter before the Board

Sec. 2 This ordinance shall be effective thirty (30) days following its enactment.

Local Law:

Local Law #2014-005 *(Introduced and tabled at the November 18 Council Meeting)*

**A LOCAL LAW ESTABLISHING AND IMPOSING SEWER
RENTS IN THE CITY OF CANANDAIGUA**

Lift from the table: Councilmember-at-Large Taylor moved to lift Local Law 2014-005 from the table. Councilmember-at-Large Whitcomb seconded the motion.

Vote Result: Carried unanimously by voice vote.

Vote: Councilmember-at-Large Taylor moved to approve Local Law 2014-005. Councilmember-at-Large Whitcomb 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 Whitcomb and Mayor Polimeni.

NOES: None.

Manager's Report: City Manager David R. Forrest gave the following report:

- Leaf pickup is winding down so please put any new leaves in paper bags. Residents must call DPW if they have leaves to be picked up.
- DPW has started planting of the switch-back trail.
- John Goodwin, Assistant City Manager has been here since September.

Miscellaneous:

- Councilmember Ward 4 Wade moved to support the School District's Capital Project budget and the two propositions coming up for a vote. Councilmember-at-Large Whitcomb seconded the motion.

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

Executive Session:

Councilmember Ward 4 Wade moved to close the regular meeting to go into Executive Session at 8: PM to discuss labor negotiations and pending litigation. Councilmember Ward 4 Wade seconded the motion.

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

Councilmember Ward 4 Wade moved to close the executive session and return to the regular meeting at 9:05 PM. Councilmember-at-Large Taylor seconded the motion.

Vote Result: Carried unanimously by voice vote.

Regular Session

Councilmember-at-Large Whitcomb 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 FIRE FIGHTERS ASSOCIATION
LOCAL 2098, I.A.F.F.**

WHEREAS, the collective bargaining agreement between the Canandaigua Fire Fighters Association Local 2098, I.A.F.F. 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 Fire Fighters Association Local 2098, I.A.F.F. ratified the tentative agreement on December 1, 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 Whitcomb and Mayor Polimeni.

NOES: None.

Adjournment

Councilmember Ward 1 Cutri moved to adjourn the regular session at 9:07 PM. Councilmember-Councilmember-at-Large Whitcomb seconded the motion.

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

Nancy C. Abdallah, Clerk Treasurer