

**MINUTES**  
**CITY COUNCIL MEETING**  
**THURSDAY JULY 7, 2022, 7:00 P.M.**  
**HURLEY BUILDING, 205 SALTONSTALL STREET**  
<https://vimeo.com/channels/cdga>

Mayor Palumbo called the meeting to order at 7:00 p.m.

**Pledge of Allegiance**

**Roll Call:**

**Members Present:**

Councilmember Ward 1 Nicholas Cutri (via Zoom)  
Councilmember Ward 2 Dan Unrath  
Councilmember Ward 3 Karen White  
Councilmember Ward 4 Erich Dittmar  
Councilmember-at-Large Sim Covington, Jr.  
Councilmember-at-Large Thomas Lyon  
Councilmember-at-Large Stephen Uebbing  
Mayor Bob Palumbo

**Also Present:**

City Manager John D. Goodwin  
Corporation Counsel David Hou, Corporation Counsel (via Zoom)

**Necessarily Absent:**

Councilmember at-Large Renee Sutton

**Review of Community Core Values:** Councilmember Ward 3 White 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:**

**June 2 2022 and June 21 2022 Council Meeting**

Moved: Councilmember Ward 1 Curti

Seconded: Councilmember-at-Large Uebbing

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

**Public Hearings:** Mayor Palumbo opened the public hearing regarding A Local Law Establishing Videoconferencing Procedures for Public Meetings Pursuant to NY Public Officers Law §103-a at 7:01 pm. No one came to speak. Mayor Palumbo closed the hearing at 7:02 pm.

Mayor Palumbo opened the second hearing, Community Development Needs of the City and Proposed CDBG Application at 7:02 pm. Brad Sick from Larsen Design Group spoke and presented to the Council on the 2022 Block Grants application process for the City's Watersystem. No other members of the public spoke. The Mayor closed the hearing at 7:08pm.

**Recognition of Guests:** Mayor Palumbo introduced Denise Chaapple appearing from Zoom. She thanked Council for letting the bid organize the July 4<sup>th</sup> parade, they had 100 units participate. She thanked FLTV for their support of the live broadcast of the July 4<sup>th</sup> parade. Central on Main is now open, every Friday and Saturday nights featuring local music, will be open through September. Central

on Main also has a community urban garden and Nestor Ortiz a local artist has created a mural for the area. July 15 – 17<sup>th</sup> will be the 33<sup>rd</sup> Arts and Music Festival downtown.

**Committee Reports:**

Planning Committee: July 12, 2022 (See Appendix A)  
Finance Committee: July 12, 2022 (See Appendix A)  
Environmental Committee July 19, 2022 (See Appendix B)  
Ordinance Committee July 19, 2022 (See Appendix B)

**Resolutions:**

**Resolution #2022-034:**

Moved: Councilmember-at-Large Uebbing  
Seconded: Councilmember Ward 2 Unrath

**A RESOLUTION AUTHORIZING A MUNICIPAL COOPERATION AGREEMENT TO PROVIDE SCHOOL RESOURCE OFFICERS**

**WHEREAS**, the Canandaigua City School District has contracted with the City of Canandaigua to provide a school resource officer (SRO) program in order to develop a strong, supportive relationship between students, faculty and law enforcement which deters criminal behavior and maintains a safe learning environment; and

**WHEREAS**, the Canandaigua City School District desires to continue the SRO program with one part-time officer and one full-time officer for the 2022-2023, 2023-2024 and 2024-2025 school year; and

**WHEREAS**, the Canandaigua City School District has agreed to reimburse the City for 100% of the expense of the part-time officer and 50% of the expense of a full-time officer assigned as the Youth Officer and SRO; and

**WHEREAS**, the City desires to continue the SRO program;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council hereby authorizes the City Manager to execute an agreement with the Canandaigua City School District to provide school resource officers in substantially the same form as attached hereto.

Prior to the vote, Councilmember Uebbing voicing his support for the resolution. He acknowledged the work of the school resources officers and the success of the program for the CSD. He said that the officers do the work of prevention and their work is integral to the work within the school and the community at large. He discussed his tenure with the University of Rochester’s working directly mentoring Superintendent’s and other school principals’ including his work with East High School in Rochester. He spoke directly with his colleagues on this matter and they all agreed that not having an SRO program is a setback. He highlighted an example of families coming to Council last year and needing help curtailing negative youth behavior in their area and Council worked with the School Resource Officer for a positive outcome. Councilmember Uebbing continued to say that this is a prevention program that benefits the community at large and he is in favor.

Councilmember White motioned to amend the Resolution, to change the agreement to a one-year contract from three years as it stands, given the school district time to add the program to their budget. Councilmember Dittmar seconds. Councilmember Lyon understands advocating for a one-year

contract, hoping for more detail and they had requested the school district send data about the program. The School District had sent two reports from the SRO officers but he is concerned with a three-year contract, the School may not supplied the reporting as they have with a one-year contract. Councilmember Unrath is opposed to the amendment, he would prefer something more permanent and align the budgets may be difficult. Council has discussed this several times a year and the Officers themselves deserves to know what is going to happen for their own stability. He does not see any advantage of a one-year contract. Mayor Palumbo agrees with a three-year contract and believes that adding reporting into the contract moving forward. He does not support the amendment.

Councilmembers White, Dittmar and Lyon voted for the amendment by voice vote and Councilmembers Cutri, Covington, Uebbing, Unrath and Mayor Palumbo voted against. Motion Failed.

Returning to the original motion, Councilmember Lyon requested the reporting be included with the success of the program. Councilmember Uebbing agreed, adding the Police Chief and the School should report together, City Manager agreed and will seek the detail from the school

Police Chief Nielsen spoke regarding the reports Council received as the SRO keeps their activity log as is the requirement of the Department and they do submit their summaries for Council to review. Mayor requested that City Manager add the detail to the City website.

Councilmember Cutri commented that while he was working for the District, he was involved with SRO and it is the greatest asset in this community and he is total in favor of the program and the positive role these Officers have in keeping our kids safe.

The Mayor commented that these Officers not only do work for the School, but they are also called on to do work for the City as well. They are part of the community and provide great value to the City.

The Mayor called on the public that were in attendance to speak.

Ryan Staychock, from 6285 Ketchum Road spoke and he is strongly in support of this program. He has two children in the district and encourages Council to pass the three-year agreement. He suggested that with the potential funding issues is to review a Special District since the School serves not just City children but area Towns as well.

Russ Lyons from 5111 Laura Lane and the President of the Parent Teacher Student Association for the Canandaigua School District spoke, He has two children in the district. He agrees with what other Councilmembers had to say, he wants to see Council sign the three-year agreement. He reviewed the agreement of the two officers and hopeful for the addition of the officer for the primary school. City Manager Goodwin clarified the program is to maintain the two officers and hopefully ad a third, fully funded by the School District should the agreement pass.

Heather Holman, 418 East Street, she has two kids in the District and is the Vice President of PTSA. She is advocating for safety and agrees with Councilmember Uebbing that this is a prevention program. She feels that you cannot measure prevention and the SRO provide a quick response in the event of an emergency, they are trained for these events and they are not just random people jumping in to help. She said the most important part is that they build a sense of community and is needed for the community at large. Urges Council to pass this program.

Adam Favo, 140 Thad Chapin, is a City firefighter. He is appalled that there are Councilmembers that are not in favor of a three-year agreement. He feels that if the City and the School want to have a

trained workforce in the event of anything happening, they have to be there every day for years. He said that an SRO is there for more than support, it is the relationship building with the kids that can take years. As a City Firefighter, he has responded to numerous calls at the School and having a SRO officer there before they get there, they receive direct information, and give so much information and help mitigate the situation. Basic emergencies down to kids with abuse happening, the SPO is a first responder and not just in a school shooting capacity. They do so much more work for the community. SPO Officers will be there for the kids, parents, teachers, to look at this as a one-year program isn't enough, should be expanded beyond the three years.

The Mayor read several letters received from community members.

Good afternoon,

I am unable to attend tonight's meeting, but wanted to share that I 100% stand behind all the funding for the SROs. I am appalled with all of the recent violence at schools around the country that this is even up for debate. Now more than ever we need SROs.

Thank you,

Aimee C. Malec

Mother of Gavin 17, Payton 16, and Sawyer 13- students in the CA school district

To Whom it May Concern,

As a mother, teacher in the Canandaigua City School District, and community member, I am writing to share the importance of School Resource Officers. First, our students and faculty need trained officers on campus, ready and able to serve and protect at any given moment. As teachers, we spend time and efforts preparing and practicing drills on how to best support and keep children safe and protected from violence. We need the officers to partner with us to provide the same support and protection. Second, children need to build positive relationships with Police Officers and learn to turn to them and trust them as mentors and servicemen and women. In today's world, we can't be limiting the number of police officers available and ready to partner with schools and protect the lives of children, we should be increasing the number. Our faculty, staff, and most importantly, our children deserve the love, support, and protection that Student Resource Officers provide the CCSD!

Thank you,

Julie Lawrence

Good Afternoon,

Re: SRO funding

I am a parent of a child that attends the Canandaigua Academy currently. He will be a Senior next year. One child has already graduated. My children have always had good things to say about the SRO's at the schools during their times there. It has made them feel safe knowing that there was help if it was needed. It has made me feel safer knowing they were there also. I think it is alarming that you are considering cutting this funding and removing the SRO's from the schools. Especially during the troubling times we are currently in and experiencing in the area. Please do not vote out the SRO funding. We need these positions to enforce good behavior, good role models, and positive relationships between our children and the police. Our children are our future!

Katie Ferguson

I had planned to attend tonight, but I apologize that something has come up. However, I am a parent of two children in the district and a teacher at the elementary school. I cannot understand why, in this time, it would even be considered to eliminate the officers we have in our school. Their presence provides the opportunity for so much good, including relationships between law enforcement and our students (especially those struggling with behaviors that could lead to trouble later). Just providing this presence can also serve as a deterrent to those who would consider harming our children!

I wish I could write more eloquently, but the bottom line is schools need to be a safe place for children. As a parent, I need to feel safe sending my children to school! With everything going on in our country, and constantly hearing about violence so close to home, PLEASE help us keep Canandaigua the best district for my children to attend! I want to feel supported as a parent and as a teacher. I know my job is to keep my students safe, but having SROs nearby is so important to us all! Thank you.

Melinda Arist

70 Holiday Lane

Canandaigua, NY  
Parent and Educator

Dear members of city council:

Unfortunately, I am unable to attend tonight's meeting. As a parent of three children in the district, I'm disturbed and disheartened to learn that you're even thinking of ripping the added layer of security for our students out of the district. Instead, especially with recent events (one being 15 minutes down the road), your meeting should be addressing another SRO being added, as well as additional security measures to proactively keep our children out of harm's way. Our children have been forced to deal with so many unfortunate events due to the pandemic and taking our SRO would leave them in an even more vulnerable state. Are you serious? Our children's safety doesn't come with a price tag. Take the financial piece out of your agenda and do what is right for our treasured babies. Please do the right thing and keep our children safe.

A very concerned parent,  
Brooke Swarthout

My name is Laura Simpson, I currently have three students in the Canandaigua City School District. I want the funding for the SRO to stay intact. I feel safer knowing there is an officer on duty while my children attend school. With that being said, my children that attend both middle and high school feel safer with them there. Making a positive connection between students and the SRO builds trust and it allows a dialog to occur between them.  
Thanks for your time.  
Laura Simpson

After the reading of the letters, the Mayor called on Amanda Harris of 6029 Palomino Ct in the Town and is a teacher in the Elementary School and has three kids in the District. She explained to Council, that she is a lifelong member of the community and is very upset about this vote. She relayed a story of a lock down at the Elementary School, where she teaches start of the year. Without a lot of communication of what caused the issue as the event happened, she said her students were very afraid and she was prepared to die to protect them, not knowing the full extent of the situation. She advocated for Council to find a solution as the resolution only calls for the City to pay for one part time officer, not the full extent of the program. She explained that during the lockdown she knew it would be just her protecting the kids as they do not have an officer in the school. She explained that the relationship that the SRO Officers provide is needed and is a positive presence for the kids to help them better understand that the police can be a positive resource. She said that the poverty rate is going up, the neglect is increasing and the mental health work the SROs provide is necessary. She urged Council to pass the resolution.

Councilmember White said that people are not safe anywhere, we are all in danger daily, she does not support this program and the funds would be better spent on providing more for mental health needs. She said she has read reports that adding a nurse or two increases the safety and lowers the tension in school. She said that guns are the problem and doesn't think that this program is the solution. However, if it makes residents feel safe, she will support it but believes it is false security. She has talked to High School Students recently and didn't know who the SRO officers were and doesn't think the program works, but will support this now as it is not much money.

Councilmember Covington spoke and said that the SRO Program is complex and is not dismissing the perspective of his other colleagues as he values and respects all opinions. He is pleased that the City will work with the school to receive the reports on the program's annual reports. He explained that his is voting for the resolution because, although not a parent, it would hard for him to justify a negative vote should something happen. He said that he values what the parents have said tonight, given their anxiety and the information provided by his fellow Councilmembers.

Councilmember Dittmar explained that he is voting for the program. As a teacher himself, he feels that if the SRO program is able to help at least one child, it is worth the funding.

Mayor Palumbo agrees that it is a sad state of what is happening and acknowledged Councilmember's White opinion but for right now we need to address what is happening in Canandaigua. We can reach out to our State officials on the broader issues to encourage discussion, but we can do this to help our community. He has two grandkids and a son that is a teacher in the High School. He does want to see an SRO for the Primary School and start that discussion with the Superintendent.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Uebbing and Mayor Palumbo. (8-0)*

*NOES: None*

The Mayor called for a brief two minute recess at 8:21pm.

Upon starting the meeting again at 8:25 pm, the Mayor asked for this resolution to be moved up as there are members of the public that has questions regarding it. Councilmember Uebbing read the resolution.

Prior to the vote, Councilmember Uebbing explained the approval of this resolution is allowing the Rainaldi Brothers to submit their plans to the Zoning Board of Appeals and the Planning Commission for their review.

City Manager Goodwin said that there would be three public hearings on the project at the Zoning Board of Appeals, the Planning Commission and by City Council before any action is taken.

The Mayor called on Kurt Thiel, owns Thiels Automotive located at 14 Saltonstall Street and is affected by this plan. He currently rents from the owner of 14 Saltonstall Street and has for the last twenty years. He is concerned about the sale of the property as he will need to potential relocate his business and Council explained that this is only the step one of a long process regarding the property.

**Resolution #2022-045:**

Moved: Councilmember-at-Large Uebbing

Seconded: Councilmember-at-Large Lyon

**A RESOLUTION AUTHORIZING RAINALDI BROTHERS, INC TO APPLY FOR REDEVELOPMENT OF 267 SOUTH MAIN STREET**

**WHEREAS**, the City of Canandaigua foreclosed on 267 South Main Street in 2018 after also partnering with the New York State Comptroller's Office and the New York State Department of Environmental Conservation to remediate the site; and

**WHEREAS**, the partnership involved the City being responsible for demolishing the structures on site and splitting the proceeds from the sale of the property 50/50 in exchange for the NYSDEC being responsible for the remediation of the environmental hazards and releasing the City and any future interested parties from any liability related to the contamination/remediation; and

**WHEREAS**, the site was remediated and the City has sought proposals to redevelop the site and received a proposal from Rainaldi Brothers, Inc to developer a mixed-use development on the site; and

**WHEREAS**, at its June 7, 2022 meeting, the Planning Committee approved the conceptual proposal and have asked the developers to proceed with the land use approval process via the Zoning Board of Appeals and Planning Commission;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council hereby authorizes Rainaldi Brothers, Inc to apply to the Zoning Board of Appeals and Planning Commission for approvals necessary for the proposed development;

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

**Resolution #2022-035:**

Moved: Councilmember Ward 4 Dittmar

Seconded: Councilmember-at-Large Dittmar

**A RESOLUTION AUTHORIZING A SPECIAL EVENT**  
*PickleFest*

**WHEREAS**, the City Council of the City of Canandaigua has received the following application for a special event in the City of Canandaigua:

- ***PickelFest***

Date: August 19<sup>th</sup> – 21<sup>st</sup>, 2022

Location: Sonnenberg Park pickleball courts/basketball courts and pavilion/Baker Park tennis courts and pavilion.

Coordinator: Joe Valenti

Time: Set up: 6:00am; Clean up: 8:00 pm

Purpose: Competitive Pickelball Tournament

Expected Number of Participants: 250

**WHEREAS**, this request was reviewed and approved at the June 21<sup>st</sup> Committee of the Whole meeting;

**NOW, THEREFORE, BE IT RESOLVED** that City Council hereby grants permission to hold the abovementioned special event at the time and location listed under the following conditions:

- 1) that no fee or admission shall be charged to the general public for admission to the special event; and
- 2) that alcoholic beverages are not permitted to be sold or consumed on public property; and
- 3) that if the event coordinators intend to place any signs in the Main Street median, such signs shall only be allowed by permit of New York State Department of Transportation; and
- 4) that the event coordinator will ensure that all tents that are required to be inspected will be inspected prior to the start of the special event; and
- 5) that a detailed summary of all costs under the City's special event policy will be provided to the event coordinators for reimbursement.
- 6) a safety plan be submitted to, and approved by the City Manager.

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

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

**Resolution #2022-036:**

Moved: Councilmember-at-Large Covington

Seconded: Councilmember Ward 4 Dittmar

**A RESOLUTION AUTHORIZING A SPECIAL EVENT**  
***Canandaigua Lake Watershed Association Ribbon Cutting and Open House***

**WHEREAS**, the City Council of the City of Canandaigua has received the following application for a special event in the City of Canandaigua:

- ***CLWA Ribbon Cutting & Open House***

Date: September 8, 2022

Location: 144 Mill Street, with overflow activities at the Farmer's Market Pavilion

Coordinator: Lindsay McMillan

Time: Set up: 3:30pm; Clean up: 9:00 pm

Purpose: Ribbon cutting and open house for the new location on Mill Street

Expected Number of Participants: 75

**WHEREAS**, this request was reviewed and approved at the June 21<sup>st</sup> Committee of the Whole meeting;

**NOW, THEREFORE, BE IT RESOLVED** that City Council hereby grants permission to hold the abovementioned special event at the time and location listed under the following conditions:

- 1) that no fee or admission shall be charged to the general public for admission to the special event; and
- 2) that alcoholic beverages are not permitted to be sold or consumed on public property; and
- 3) that if the event coordinators intend to place any signs in the Main Street median, such signs shall only be allowed by permit of New York State Department of Transportation; and
- 4) that the event coordinator will ensure that all tents that are required to be inspected will be inspected prior to the start of the special event; and
- 5) that a detailed summary of all costs under the City's special event policy will be provided to the event coordinators for reimbursement.
- 6) a safety plan be submitted to, and approved by the City Manager.

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

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

**Resolution #2022-037:**

Moved: Councilmember-at-Large Lyon

Seconded: Councilmember-at-Large Uebbing

**A RESOLUTION AUTHORIZING A SPECIAL EVENT**

*The Race for the Rest of Us*

**WHEREAS**, the City Council of the City of Canandaigua has received the following application for a special event in the City of Canandaigua:

- ***0.5K Race for the Rest of Us***

Date: September 10, 2022

Location: Lakeshore Boulevard

Coordinator: Canandaigua Rotary Club

Time: Set up: 9:00 am; Clean up: 2:00 – 4:00 pm

Purpose: Fundraiser for local charities

Expected Number of Participants: 250

**WHEREAS**, this request was reviewed and approved at the June 7<sup>th</sup> at the Finance and Planning Committee meeting;

**NOW, THEREFORE, BE IT RESOLVED** that City Council hereby grants permission to hold the abovementioned special event at the time and location listed under the following conditions:

- 1) that no fee or admission shall be charged to the general public for admission to the special event; and
- 2) that alcoholic beverages are not permitted to be sold or consumed on public property; and
- 3) that if the event coordinators intend to place any signs in the Main Street median, such signs shall only be allowed by permit of New York State Department of Transportation; and
- 4) that the event coordinator will ensure that all tents that are required to be inspected will be inspected prior to the start of the special event; and
- 5) that a detailed summary of all costs under the City's special event policy will be provided to the event coordinators for reimbursement.
- 6) a safety plan be submitted to, and approved by the City Manager.

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

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

**Resolution #2022-038:**

Moved: Councilmember Ward 2 Unrath

Seconded: Councilmember Ward 4 Dittmar

Before the vote, Councilmember Uebbing motioned to amended the resolution to include the wording of, “with accommodation.” Seconded by Councilmember Unrath and unanimously passed and carried.

**AMENDED RESOLUTION ACCEPTING THE FINANCIAL STATEMENTS FOR YEAR  
ENDING DECEMBER 31, 2021**

**WHEREAS**, in accordance with the Financial Reporting Policy adopted by the City Council via Resolution #2020-071, the City Council shall by resolution accept the financial statements and any response to the audit management letter; and

**WHEREAS**, the Financial Statements for the year ending December 31, 2021 prepared by Mengel Metzger Barr & Co, LLP were presented to the Finance Committee at its June 7, 2022 meeting; and

**NOW, THEREFORE, BE IT RESOLVED**, by City Council that the Financial Statements for the year ending December 31, 2021 prepared by Mengel Metzger Barr & Co, LLP, attached hereto, are hereby accepted with accommodation.

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

**Resolution #2022-039:**

Moved: Councilmember Ward 4 Dittmar

Seconded: Councilmember-at-Large Lyon

**RESOLUTION REGARDING THE SEQR FOR THE PROPOSED WATER SYSTEM IMPROVEMENTS STUDY**

**WHEREAS**, the City of Canandaigua administers the municipal water system serving the City; and

**WHEREAS**, the City is in need of conducting an engineering study to evaluate the condition of the municipal water system, collect information, identify needs, study alternatives and costs to address identified needs, and compile engineering reports; and

**WHEREAS**, the City is obligated under the State Environmental Quality Review Act (SEQRA) to review the potential environmental impacts associated with the project; and

**WHEREAS**, the Canandaigua City Council is the appropriate agency to be the lead agency to undertake the project review under SEQRA; and

**WHEREAS**, 6 NYCRR Section 617.5 of SEQRA provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

“(18) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action.”

**NOW, THEREFORE, BE IT RESOLVED**, that City Council hereby classifies the proposed Water System Improvements Study as a Type II Action under § 617.5(c)(2) of SEQRA; and

**BE IT FURTHER RESOLVED**, Type II Actions are not subject to further review under §617 of SEQRA; and

**BE IT FURTHER RESOLVED**, the City Council in making this classification has satisfied the procedural requirements under SEQRA and directs this Resolution to be placed in the file on this Action.

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

**Resolution #2022-040:**

Moved: Councilmember-at-Large Lyon

Seconded: Councilmember Ward 2 Unrath

**A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING**

**WHEREAS**, the City plans to hire an engineer to assess the water treatment plant and water distribution system and prepare a preliminary engineering report that identifies needs, recommendations for future improvements and cost estimates for such improvements; and

**WHEREAS**, the preliminary engineering report will serve as the basis for planning and budgeting for future capital improvement projects; and

**WHEREAS**, the City has held a public hearing to obtain citizens' views regarding the CDBG program as administered by OCR and regarding the Project as part of the application process for a CDBG Community Planning grant;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council hereby authorizes the City Manager to submit a grant application in an amount of fifty thousand dollars (\$50,000), such amount to be provided as a grant to the City to hire an engineer to complete the preliminary engineering report; and

**BE IT FURTHER RESOLVED**, that the City Manager is hereby designated as the Environmental Certifying Officer for the purposes of complying with the applicable federal environmental review requirements for the OCR grant; and

**BE IT FURTHER RESOLVED**, that the City Manager is hereby authorized to execute the OCR grant agreement and all related documents associated with the OCR grant, subject to review and approval by the City Attorney

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

**Resolution #2022-041:**

Moved: Councilmember Ward 3 White

Seconded: Councilmember Ward 4 Dittmar

**A RESOLUTION REGARDING THE SEQRA FOR THE PROPOSED BIOSOLIDS IMPROVEMENTS PROJECT AT THE WATER RESOURCE RECOVERY FACILITY**

**WHEREAS**, the City of Canandaigua has desire to make improvements to the City's Water Resource Recovery Facility; and

**WHEREAS**, the City is obligated under the State Environmental Quality Review Act (SEQRA) to review the potential environmental impacts associated with the project; and

**WHEREAS**, the Canandaigua City Council is the appropriate agency to be the lead agency to undertake the project review under SEQRA; and

**WHEREAS**, the Proposed Biosolids Improvements Project has been determined to be a Type II Action under §617.5(c)(2) of SEQRA which state that replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in Section 617.4 of this Part; and

**NOW, THEREFORE, BE IT RESOLVED**, that City Council hereby classifies the Proposed Biosolids Improvements Project as a Type II Action under § 617.5(c)(2) of SEQRA; and

**BE IT FURTHER RESOLVED**, Type II Actions are not subject to further review under §617 of SEQRA; and

**BE IT FURTHER RESOLVED**, the City Council in making this classification has satisfied the procedural requirements under SEQRA and directs this Resolution to be placed in the file on this Action.

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

**Resolution #2022-042:**

Moved: Councilmember Ward 4 Dittmar

Seconded: Councilmember-at-Large Covington

**A RESOLUTION APPROPRIATING FUNDING TO WRITE A NYSOPRHP EPA GRANT**

**WHEREAS**, the New York State Office of Parks Recreation and Historic Preservation administered the Environmental Protection Fund parks grants via the Consolidated Funding Application and the City is desirous of applying for funding to make improvements within several parks; and

**WHEREAS**, the City is desirous of improving the quality and safety of facilities within City parks to not only provide accessible green spaces, but all seasons programs for the community as well as opportunities for relaxation, experiential learning inside and outside, and socialization to enhance personal growth and well-being for all individuals; and

**WHEREAS**, the City Manager solicited a proposal from MRB Group to write a grant; and

**NOW, THEREFORE, BE IT RESOLVED**, that City Council of the City of Canandaigua hereby appropriates \$5,000 from the Parks & Open Spaces Fund for MRB Group to write an Environmental Protection Fund grant application for the demolition and construction of a building at Sonnenberg Park.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Lyon, -at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Uebbing and Mayor Palumbo. (7-0)*

*NOES: None*

*Note: Councilmember Ward 1 Cutri lost his internet connected and was unable to vote.*

**Resolution #2022-043:**

Moved: Councilmember-at-Large Covington

Seconded: Councilmember-at-Large Uebbing

**A RESOLUTION REGARDING THE SEQR FOR THE PROPOSED PARK IMPRVEMENTS FOR SONNENBERG PARK**

**WHEREAS**, the City intends to apply for a New York State Parks, Recreation and Historic Preservation (NYSRHP) Environmental Protection Fund grant for park improvements at Sonnenberg Park; and

**WHEREAS**, the City is obligated under the grant requirements to complete a State Environmental Quality Review Act (SEQRA) review of the potential environmental impacts associated with the project; and

**WHEREAS**, the proposed project has been determined to be a Type II Action under §617.5(c)(2) of SEQRA which state that replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in Section 617.4 of this Part; and

**NOW, THEREFORE, BE IT RESOLVED**, that City Council hereby classifies the proposed Sonnenberg Park Building Replacement Project as a Type II Action under § 617.5(c)(2) of SEQRA; and

**BE IT FURTHER RESOLVED**, Type II Actions are not subject to further review under §617 of SEQRA; and

**BE IT FURTHER RESOLVED**, the City Council in making this classification has satisfied the procedural requirements under SEQRA and directs this Resolution to be placed in the file on this Action.

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

**Resolution #2022-044:**

Moved: Councilmember Ward 4 Dittmar

Seconded: Councilmember-at-Large Covington

**A RESOLUTION OF SUPPORT AND AUTHORIZATION FOR 2022 CONSOLIDATED FUNDING APPLICATION FOR PARK IMPROVEMENTS FOR SONNENBERG PARK**

**WHEREAS**, the City is desirous of improving the quality and safety of facilities within City parks to not only provide accessible green spaces, but all seasons programs for the community as well as opportunities for relaxation, experiential learning inside and outside, and socialization to enhance personal growth and well-being for all individuals; and

**WHEREAS**, the City has recently completed a facility conditions assessment that outlined improvements that are needed at parks facilities, including Sonnenberg Park; and

**WHEREAS**, the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) administers funding opportunities through the Consolidated Funding Application to complete improvements within parks; and

**NOW, THEREFORE, BE IT RESOLVED**, by City Council that the City Manager is hereby authorized to submit a NYSOPRHP Environmental Protection Fund grant application for the improvements at the city-owned Sonnenberg Park and be considered the authorized representative for the project, able to execute all necessary documents relative to this project; and

**BE IT FURTHER RESOLVED**, that the City Council will budget local matching funds where needed in the 2023 Capital Budget; and

**BE IT FURTHER RESOLVED**, that the City Council recognizes and fully supports the submission of this 2022 Park Grant CFA for improvements to Sonnenberg Park.

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

**Resolution #2022-046:**

Moved: Councilmember Ward 2 Unrath

Seconded: Councilmember-at-Large Lyon

**RESOLUTION APPROPRIATING FUNDING TO ADMINISTER A MUNICIPAL ZERO EMISSIONS VEHICLE INFRASTRUCTURE GRANT**

**WHEREAS**, the New York State Department of Environmental Conservation has a rolling grant program which funds municipalities to install zero-emission vehicle infrastructure, including charging stations for electric vehicles; and

**WHEREAS**, the City applied for and was awarded \$358,984 from this program to expand upon the public electric charging station offered by the City by adding solar charging stations at City Hall, Niagara Street Parking Lot, Muar Street Parking Lot and Lakefront Park; and

**WHEREAS**, the City Manager recommended accepting a proposal from MRB Group to complete the necessary grant administration at a total cost of \$3,500 utilizing fund from the Energy Projects fund (funds received from the community solar program); and

**WHEREAS**, said recommendation was reviewed and approved at the Committee of the Whole meeting on June 21<sup>st</sup>;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council of the City of Canandaigua hereby appropriates \$3,500 from the Energy Projects Fund the purposes of administering the NYSDEC Municipal Zero Emissions Vehicle Infrastructure Grant awarded to the City.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Lyon, -at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Uebbing and Mayor Palumbo. (7-0)*

*NOES: None*

**Local Laws:**

**Local Law #2022-004:** Councilmember Ward 3 White motioned to lift the local law from the table (introduced at the June 2, 2022 meeting.) Seconded by Councilmember Ward 4 Dittmar, unanimously passed and carried.

**Moved:** Councilmember Ward 3 White

**Seconded:** Councilmember Ward 2 Unrath

**A LOCAL LAW ESTABLISHING VIDEOCONFERENCING PROCEDURES FOR PUBLIC MEETINGS PURSUANT TO N.Y. PUBLIC OFFICERS LAW § 103-a.**

BE IT ENACTED, by the City Council of the City of Canandaigua as follows:

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

It is the intent of this local law to authorize the use of videoconferencing to conduct public meetings, in accordance with Public Officers Law § 103-a.

### **Section 2. Authority**

This local law is adopted pursuant to Public Officers Law § 103-a, which expressly authorizes municipalities to authorize the use of videoconferencing in the conduct of public meetings.

### **Section 3. Legislation**

#### **A. Authorization**

The City Council, Planning Commission, Zoning Board of Appeals, sub-boards, committees and sub-committees are hereby authorized to use videoconferencing to conduct its public meetings.

#### **B. Written procedures for member and public attendance**

The City Council shall establish, via resolution, written procedures governing member and public attendance, which procedures shall be posted on the City website. All members of the public body shall be physically present at meetings unless such member is unable to be physically present due to extraordinary circumstances, which shall include, but not be limited to, disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.

### **Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

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

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

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

### **Manager's Report**

City Manager reported on the new website for the City that just launched. Last year, Oil and Stone program for paving has been disbanded and micropaving will begin on July 18 and continue through the end of August, there is a lengthy list of streets affected, which will be posted to the City's website. Affected residents will be notified via a letter and more targeted notice ahead of the paving because we have to close the streets that will be paved, which means no on street parking or access to the street while it is curing. Received the results from the National Community Survey and the results will be posted to the website as well. Reviews were very positive. Denise Chaapple asked for time, she thanked Finger Lakes Television and she has received very positive feedback on their live coverage of the July 4<sup>th</sup> parade.

She invited Councilmembers to the Central on Main as the Vistor's Connection will be filming an ad for a professional tourism piece between 5 pm – 6:30 pm. Drones will be used as well.

One of the new bridal shops is opening on Saturday July 16<sup>th</sup> at 10 am, Carmella's Bridal and Prom will be opening.

The Mayor reported that HOPR Bike Share program, 115 bike have been rented, e-bikes are on their way and it is very positive as the program recently launched.

**Adjournment**

Councilmember Ward 2 Unrath moved to adjourn the regular session at 9:22 pm. Councilmember-at-Large Lyon seconded the motion. Unanimously passed and carried.

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

**APPENDIX A  
PLANNING COMMITTEE & FINANCE COMMITTEE  
MEETING MINUTES  
TUESDAY, JULY 12, 2022, 7:00 PM  
COUNCIL CHAMBERS  
HURLEY BUILDING, 205 SALTONSTALL STREET  
VIRTUAL: <https://us06web.zoom.us/j/89079597597>**

**Planning Committee:** Thomas Lyon, Chair  
Steve Uebbing  
Dan Unrath

**Councilmembers Present:** Sim Covington, Jr.  
Erich Dittmar  
Renee Sutton  
Karen White  
Mayor Palumbo

**Excused:** Nick Cutri

**Other City Staff:** John Goodwin, City Manager  
David Hou, Corporation Counsel

Chair Lyon opened the meeting and before the meeting started with the first agenda item, he called on Councilmember White. Councilmember White apologized for her comments at the Council meeting on July 12<sup>th</sup>. She said her comments were unprofessional and hurtful and she sincerely apologized. She said she would be more thoughtful in the future.

Chair Lyon welcomed members present and said that Mr. Cutri is excused for the meeting. He began by calling on Glenn Weinberg from Joule Assets, who provided an update for the first agenda item regarding the Community Choice Aggregation (CCA). Mr. Weinberg reviewed his presentation before Council. CCA is a program that allowed for the City residents to select a default energy supplier on behalf of their residence and/or small businesses. Mr. Weinberg explained that Source Power/Icon Energy (the contracted energy provider for the program) defaulted on a required payment to the grid

operator, New York Independent System Operator (NYISO) and was prohibited from being an electric provider. Program has been running for about 18 months and was suspended on July 15<sup>th</sup>. Residents and small businesses that were part of the CCA program have been returned to RG&E as the default electric supply service. They are still looking into their options despite the situation with Source Power. This situation was not the fault of the City. Councilmember Uebbing asked what would happen to residents dealing with the changes in their rates for their bills. Mr. Weinberg explained there are two issues that are happening, the challenges with the return to billing for RGE given the abrupt and unplanned problem for the customers and the fixed rate the customers had, adjusting to what RGE rates for service. Councilmember Sutton asked on the legal relationship, Mr. Weinberg explained it is a tri-party agreement, with Joule serving as the program manager to the City with Source Power being the supplier. Councilmember Sutton asked if they were looking into a new supplier and Mr. Weinberg said that yes, they are. He explained that there are other municipalities including Brighton was also affected by Source defaulting on the agreement and there could be a potential partnership with these cities and towns down the line with a new potential provider. City Manager Goodwin said that there have been ongoing negotiation with Source Power and Joule has been leading that discussion on behalf of the affected municipalities attorney's and hoping to update once something changes. There will be an upcoming meeting and once there is an update, David Hou and City Manager will update Council.

Chair Lyon reviewed the Mayor's request to look into a Gun Buy Back Program. The Mayor has been looking to into a potential gun buyback program. He researched other locations that offer these programs and this could be an option for Canandaigua. Police Chief, Nielsen said the logistical part for a program like this is more complicated. Currently they have 15 firearms that have been turned in for destruction and there is a multi-layered process to get rid of a firearm. He cited an example of when a firearm is turned in there are steps to determine if it can be destroyed, sending details out to ballistics, waiting for the results and should the firearm be part of a crime and deciding whether or not it cannot be destroyed. The Chief outlined concerns because of the many steps involved with receiving firearms. He is uncertain as to how major Cities are able to accept firearms with no questioned asked. Generally speaking, without fully understanding how these Cities are able to put these events together, working with all the necessary stakeholders, can be very challenging. The Chief sited another example of someone that found a firearm in the bushes outside of an apartment complex and the complicated steps to try and locate the details about the firearm to know if it could be destroyed. Ideally, a program like this, would take time to research and should work with all the local agencies on finding out what it could take to do. Staffing, incentive programs to purchase the guns back, would need to be carefully planned. City Manager Goodwin explained that there is no budget for this event, and with most of these events taking place in major cities where gun violence is an issue, we do not have that here in Canandaigua. David Poteet at 120 Park Street spoke, thinks it is a very tough choice and respects Council looking into this. Chair Lyon said that there is support to look into this and City Staff will follow up with Council in a future meeting.

Chair Lyon brought up the discussion topic for the Historic District. A proposal to fill the doughnut holes of the City's historic districts has been in multiple comprehensive plans, and brought before Council for consideration multiple times, but has not been implemented. Based on recent results of the National Community Survey, 75 % of residents would like to see a program evolve. Ideally it would mean, designating the areas within the City that are on the National and State Register's, but not the City's Historic District. It would involve adding 68 properties not originally included in the on Dungan, Park, Washington, Gibson, Catherine, Wood and Sly Streets. Brian McCarthy, who resides at 126 Washington Street had questions for Council on what the program will be, will there be programs for residents to incentivizes. Councilmember Sutton said that this was last looked into in 2021 and did not make it out of committee. Councilmember White suggested the need for an incentive program or another way to help residents affected in the future should this come up again. Chair Lyon explained that there are incentives at the Federal and State level, but at a significant investment for improvements for homeowners. Councilmember Dittmar does not support closing the donut holes as residents have enough

burden and as much as he prefers supporting the character of these homes and overall area, it's a lot to ask a resident. Mayor Palumbo agrees, that someone who buys a property it should be up to them and if they buy in a historic district, they buy it knowing the details. David Poteet, 120 Park Street spoke and said it would be good for the City to consider an incentive plan and review the area to see if it is possible to decrease the size of the district as some of the homes may not meet the criteria. Chair Lyon said that no action was to be taken today and this just up for discussion based by the recent survey results.

Chair Lyon provided a quick update on CLDC. Meetings between the City and Town are continuing. They are working within subcommittees reviewing priorities around infrastructure, capital improvements and well as tourism. Both he and City Manager Goodwin will continue to keep Council updated.

Chair Lyon closed the meeting.

**Finance Committee:** Steve Uebbing, Chair  
Thomas Lyon  
Dan Unrath

Councilmembers Present: Sim Covington, Jr.  
Erich Dittmar  
Renee Sutton  
Karen White  
Mayor Palumbo

Excused: Nick Cutri

Chair Uebbing opened the meeting and thanked those present and reviewed the first agenda item. He explained the City received a \$60,000 grant as part of the New York Main Street grant to assist in the development of The Central on Main from a parking lot and into a permanent outdoor dining and event plaza. The total costs of the necessary drainage, electrical and concrete work is estimated at \$185,000. As such \$125,000 of City funding would be necessary to complete the project. Councilmember Unrath asked if this was budgeted. City Manager Goodwin confirmed that it was not but the funds are available, if approved. Chair Uebbing said the feedback he has received is that not all area restaurants participate in the Central and could there be a perception of a competitive disadvantage for those not involved by using tax payer monies for something that doesn't benefit all. Councilmember Lyon said it would be a worthwhile investment. Councilmember Sutton asked how on the grant came together and City Manager Goodwin explained that the New York State Main Street grant, initially was to help Main Street property owners renovate their second and third floors. New York State opened the grant up to outdoor spaces to turn them into outdoor dining areas during the pandemic. The Central was created during the pandemic as outdoor dining was needed and now looking to expand that area. The City did not plan for the increased concrete costs and the project itself continued to evolve into more things. Entryway, stage, lights, bathrooms will not be covered in the \$185K, and those may come later. Right now the plan is for one flat surface, not using stamped concrete as that is too expensive but the area will have footing and electrical included. Councilmember Sutton asked to see the plans before making a decision would prefer to find a way for all area restaurants to be included, if that can be possible. Councilmember Sutton asked on future grants. Goodwin explained that the project needs to start and use the grant money that was given before going after more grant money, which could be a negative and there could potential working the LDC on funding sources. Questions regarding the business structure, the City owns the property and it is a partnership with the BID and the restaurants that participate in it. Denise Chaaple from the BID explained that they have invested about \$40,000 since the inception and they are the managers of the space. They work with all City restaurants both in and outside of the BID are. Families can use the space and bring in their own food and there isn't a

reason why GrubHub can't deliver McDonald's that if is what is wanted. Once they discovered the pavement issues, they started looking into all others of renegue and the potential for it to become a City park. something similar to the Commons, which the BID could help fundraise for. Ms. Chaaple explained that the idea is an economic driver for downtown. Mayor Palumbo is in support of this and if there are other opportunities for funding they should be explored. Discussion around future plans and the continued use of the Common as well. The grant funds would need to be spent by the end of the year. Chair Uebbing inquired on finding other partners for the project and those entities could be the BID, CLDC and share the stake. He does support the entire amount but feels more opportunity can be found with more partners. City Manager suggested there could be shared relationship for maintenance. Ms. Chaaple said there have been increased cost with going to a seven day a week operation and this money is only for paving. There needs to be more exploratory work done for more ways to offset the financial burden. Chair Uebbing asked for a motion. City Manager said the funds would come from the surplus funds. Councilmember Unrath motioned to appropriate the \$125,000 for the paving and to move the item to City Council. Councilmember Lyon seconded. Unanimously passed and carried.

Chair Uebbing moved onto to an updated-on Garbage and Recycling toters. City Council previously voted to replace the garbage and recycling toters due to severe failures of toters that caused injury to City staff. City Staff was able to locate and purchase new lift mechanisms to mitigate the injury causing toter failures. Chair Uebbing said that he polled his neighbors on the toters and is concerned about people having storage for the 96 gallons and to be able to lift them as well. Councilmember Lyon said that he is concerned about the space at the landfill and would advocate for the 64-gallon toters and asked for residents to be mindful about their waste. City Manager Goodwin said that when we hit the pause button, it was to provide time for the interim solution to work on the trucks, which it has so far. The decision was between the standard 96 gallons unless residents requested a 64-gallon toter or having all going uniform 64. Originally it was suggested to create an enterprise fund by taking the money out of the general fund to use for this and after he and City Treasurer Nancy Abdallah reviewed the pros and cons of this, do not recommend this practice. Instead, they suggested a more "pay to throw fund" where all residents would receive one toter of each and have to pay a monthly fee for any additional toter requested. Currently, multifamily homes and non for profits pay \$160.00 fee for garbage and there is an administrative burden on City Staff for this. They would eliminate this practice and make up for the revenue with the fees received for the additional toter purchase. Monthly it would cost residents roughly \$12.50, \$83,000.00 annually. Still providing a toter for all, but non for profits who do not pay taxes would pay for toter number one. Chair Uebbing would like to see a written plan at the next Finance committee meeting on August 2nd. Councilmember Unrath motioned to adjourn the meeting, seconded by Councilmember Lyon, motion passed and carried.

**PLANNING COMMITTEE & FINANCE COMMITTEE  
MEETING MINUTES  
TUESDAY, AUGUST 2, 2022 7:00 PM  
COUNCIL CHAMBERS  
HURLEY BUILDING, 205 SALTONSTALL STREET  
VIRTUAL: <https://us06web.zoom.us/j/89079597597>**

**Planning Committee:** Thomas Lyon, Chair  
Steve Uebbing

**Councilmembers Present:** Erich Dittmar  
Renee Sutton  
Mayor Palumbo

Excused members: Nick Cutri  
Dan Unrath

Other members not present: Sim Covington, Jr.  
Karen White

Other City Staff: John Goodwin, City Manager  
David Hou, Corporation Counsel

Chair Lyon opened the informational meeting, due to the lack of quorum and due to technical difficulties cannot see members joining online. No voting on items will be taking place.

He introduced Matt Horn, Executive Director from the CLDC. Mr. Horn discussed the competitive state-wide grant opportunity Downtown Revitalization Initiative (DRI) and reviewed the background of the grant. New York State is once again proffering the DRI economic development program. Originally, this was a \$10 million dollar program and this year they added a second program and doubled the funding. The goal of the DRI is to transform “neighborhoods into vibrant centers that offer a high quality of life and are magnets for redevelopment, business, job creation and economic and housing diversity.” Mr. Horn explained that he, Doug Finch from the Town of Canandaigua and City Manager Goodwin worked together an application strategy, which had included the Uptown/Downtown project, but moving away from that as the Town has moved forward. The new thought is to apply for both NY Forward and the DRI applications for Lakeshore Drive from Lagoon Park to the intersection of NYS Route 332 (Main Street) and NYS Routes 5&20. Due to the master plans that are in place for several areas, this seemed to be the best focus. CADC funded the application in round 1 CLDC returned to them to partner in round 6. City Manager Goodwin discussed that the lakefront is the biggest opportunity for development and these grant opportunities. Questions on the use of the funds should something be awarded and the multilayered governmental projects that could bring potential. Councilmembers voiced support for the plan and expressed their concerns about not moving forward with a Downtown grant, but City Manager Goodwin pointed out there are opportunities happening with New York Main Street grants that the City is currently working with. Councilmembers discussed next steps and City Manager Goodwin said they would need to decide which application to move forward with, either to recycle the previous application and update it or to move forward with the new lakefront application. Chair Lyon asked Councilmembers present their ideas and those present agreed to move forward with the Lakefront plan and thanked Mr. Horn for coming in.

Chair Lyon closed the meeting.

**Finance Committee:** Steve Uebbing, Chair  
Thomas Lyon

Councilmembers Present: Erich Dittmar  
Renee Sutton  
Mayor Palumbo

Excused members: Nick Cutri  
Dan Unrath

Other members not present: Sim Covington, Jr.  
Karen White

Other City Staff: John Goodwin, City Manager

David Hou, Corporation Counsel

Chair Uebbing opened the meeting and explained that this will be an informational meeting due to the due to the lack of quorum and due to technical difficulties cannot see members joining online. No voting on items will be taking place.

Chair Uebbing reviewed Water Resource Recovery Facility Project (WRRF) Update. Last year, the City embarked on the design to complete a renovation of the Water Resource Recovery Facility's solids handling process by converting from anaerobic to aerobic ATAD digestion with a leachate treatment side stream process. The project development is complete and representatives from Johnson Control have been invited to provide a brief review of the project. Chris Mullen from Johnson Controls presented their plan. After the presentation, Chair Uebbing asked about next steps, City Manager Goodwin explained there is a bond resolution for Council or the meeting on August 4<sup>th</sup>. City Manager discussed that this project improves the environmental stability of the plant and a way to pay for it without involving tax payers. City Manager said that do have a letter on intent with Casella in place and there are other landfills that are interested in the leachate. Questions around the electrical costs which will see an increase and those costs have been accounted for. Chair Uebbing asked for a straw vote to move the project to full council and all present agreed.

Chair Uebbing reviewed New Lease Agreement with T-Mobile. The City's municipal cell tower lease consultant, BSP, has assisting in negotiating a new lease agreement with T-Mobile for a tower that is now owned by the City located on the Water Resource Recovery Facility property. In summary, the lease is a 15-year guaranteed with an annual rent payment of \$58,250 with a 3% annual increase. Fran Clerkin from BSP has been reviewed the lease with Council. Councilmembers present were very happy with their work and will be moving this forward to Council.

Chair Uebbing reviewed the 2022 Financial Report Six Month Review and welcomed **City** Treasurer/Finance Director Nancy Abdallah. Mrs. Abdallah reviewed the revenues and explained that the pilot for Pinnacle North, the City revenue than planned. They did not provide back up for their calculations so it is to the positive as they had in years past when it had a different owner. Hotel Occupancy Tax, is up but the City will not see the summary until the latter half of the year, Sales Tax is holding its own and most likely will be above budget. Utility Tax is spot on. We are at 70% of revenue as of June 30<sup>th</sup> for the year. On the Expenditures, hard to review now, nothing really to discuss. Continuing to monitor costs and seemingly in good shape. Water and Sewer is going well, revenues are on par. CDs are doing better with interest rates. Councilmembers thanked Nancy for her work.

Chair Uebbing moved onto Street Markings Bid. The 2022 Budget included funding to change the frequency of renewing/repainting crosswalks and street markings from a three-year cycle to annually. Upon reviewing the Ontario County contract pricing, City Staff believed that savings could be achieved by bidding out the work. Bids were opened on July 8<sup>th</sup> with the lowest responsible bid received by OH Striping of Corning, NY for a total cost of \$82,120.40. The City Manager and Director of DPW recommend awarding the bid to OH Striping. City Manager said that if all goes well, areas should be painted before school starts. Councilmembers approved this to move forward to Council for approval.

Chair Uebbing reviewed the ongoing Garbage and Recycling. Discussions regarding changes to the City's solid waste collection program have been ongoing for much of 2022. There are several goals related to the proposed changes. The first and most important is to mitigate short and long-term injury from repetitive heavy lifting to City employees responsible for the collection of solid waste. The other goals included attempting to reduce the overall the amount of garbage/waste by implementing a pay-to-throw system and eliminating and replacing the existing solid waste collection fee with a fairer and more equitable fee.

The discussions have culminated in the proposed program as summarized below.

- All single-family dwellings and two to four-family dwellings will be issued a 64-gallon garbage toter and a 96 or 64-gallon recycling toter per dwelling.
- The utilization of garbage toters beyond the first toter will involve a quarterly fee (\$37.50 per quarter, \$150 annually). Chair Uebbing asked about the billing. City Manager said it will be billed quarterly.
- Tax-exempt properties that elected to have the City collect their garbage will be charged from the first toter.
- All recycling toters will be free.
- No garbage outside of a toter will be collected. Chair Uebbing asked when the toter isn't enough, City residents can bring items to the Transfer Station, tickets can be purchased at DPW and City Hall. City Residents can work with their neighbors as well. Communication plans should include these details, per Council's request. Exception could be large cardboard boxes that can be broken down next to the recycling.
- Prior to the distribution of any toters, property owners will be provided with a letter outlining the program and letting them know a post card will follow that allows them to make choices.
  - The post card will have a QR code linked to a website, the web address and a 1-800 number to call.
- Property owners will be able to request the number of garbage toters (additional toters beyond the first or less toters for two to four family properties). City Manager said it would be just for the initial distribution and after there would be a fee for the switch out and if there is a property sale that will be worked it. Property owners can use their current toters for yard waste. A City of Canandaigua Stamped Toter is what they will be collecting.
- Property owners will also be able to choose a 64-gallon recycling toter instead of a 96-gallon toter. City Manager clarified that the choice is only for the recycling toter, garbage will be issued at 64 gallons for all residents.
- If a property owner does not make selections, the property will be issued the toters as outlined above.

The cost to purchase new recycling toters, garbage toters and the public engagement effort is \$467,135.05. The City Manager recommends utilizing 2021 surplus funds towards this program. Chair Uebbing and Councilmembers present agreed to move this forward to Council, thanked staff for their efforts for the program.

Chair Uebbing closed the meeting.

**APPENDIX B  
MINUTES  
ENVIRONMENTAL COMMITTEE & ORDINANCE COMMITTEE  
TUESDAY, JULY 19, 2022, 7:00 PM  
HURLEY BUILDING, 205 SALTONSTALL STREET  
VIRTUALLY: <https://us06web.zoom.us/j/83871733845>**

**Environmental Committee:** Karen White, Chair  
Sim Covington, Jr.  
Erich Dittmar  
Renée Sutton

Councilmembers Present: Nick Cutri  
Thomas Lyon  
Dan Unrath  
Mayor Palumbo

Other City Staff: John Goodwin, City Manager  
David Hou, Corporation Counsel

Chair White opened the meeting and read the Core Values. She reviewed the only agenda items, Canandaigua Lake Water Quality Trends & Boat Wash Update and introduced Kevin Olvany, who provided the update as the Canandaigua Lake Watershed Manager. He has been working directly with the Finger Lakes Institute and the Watershed Association. He provided a quick update on the boat wash station first, we have a loaner boat wash station and a lot more washes are taking place. Ten washes took place this past weekend and once we get into August will see a higher potential for invasive species. State Park chose to location of the Station and boats are washed going into the lake. Mr. Olvany reviewed the lake research for the water quality and working with Finger Lakes Community College for the 2021 update. Six sampling sites over the last 27 years are used for the study. May through October and other collection is done. High Oxygen levels are consistent year over year. TP is the driver that produced plant growth thought the Lake and we are considered a low nutrient Lake. There has not been a trend upward. They are seeing a subtle trend, a degree or so increase in surface temperature from 1996 – 2021 and those slight changes in temperature can result in the blue-green algae as they like the warmer temperatures. Trends in seeing more blue-green algae has been ongoing since 2012. City Manager asked how we are doing in comparison to the other Finger Lakes, and most of the other lakes have ongoing blue-green algae issues and Canandaigua Lake ranks within Keuka and Skaneateles Lake as one of the cleanest. They are continuing the manage the situation and working with DEC. Questions on the boat use and there are a myriad of factors that are reviewed and no clear definitions. They are in the process of putting together legislation, which all six municipalities around the Lake would have to pass looking at the number of dock spaces and boats allowed. He also reviewed the grant opportunities that they are pursuing. The two-gate system, is 40 plus years old, and in need of some upgrades and he advocates a feasibility study on the life of these gates. There could be a grant application to modernize these gates. The grant opportunity is a 75/25. The second grant is the kayak launch area near the Hotel Canandaigua area to make the area handicapped accessible. A Resolution will needed for these grants and a special council meeting will be needed to pursue these opportunities. City Manager said that Council can meet on July 23<sup>rd</sup>. Councilmember Sutton motioned to approve the grant writing for these opportunities, Seconded by Councilmember Unrath. Unanimously passed and carried. City Manager Goodwin said that there are local funds that will be needed for these grants and will be part of the budget process for this upcoming year. Councilmembers thanked Mr. Olvany for his continued work.

Chair White reminded residents on not running red light after hearing concerns for residents. She reminded that there is no longer a left hand turn out of the Pier.

Chair White closed the meeting.

**Ordinance Committee:** Renée Sutton, Chair  
Sim Covington, Jr.  
Erich Dittmar  
Karen White

Councilmembers Present: Nick Cutri  
Thomas Lyon

Dan Unrath  
Mayor Palumbo

Other City Staff:

John Goodwin, City Manager  
David Hou, Corporation Counsel

Chair Sutton opened the meeting and welcomed those present. She reviewed the first item, Planning Commission Recommendation with Regard to Commercial Flags which will need to be tabled. A representative from the Planning Commission was unable to attend.

Chair Sutton moved to discuss the Vacancy Tax to help encourage rental property occupied. She read an email from Michael Yarger. He said that his property on Phoenix St./Main St., which was vacant for a more than a year before F. Oliver's moved into the building. Mr. Yarger wrote that he had several businesses contact him for renting the space, but he chose to wait for the right opportunity, had there been a tax, he would have rented the property to any of the businesses that may not have been the caliber he would have preferred. He cited concerns for a location like Parkway Plaza often have long term leases where they can add provision that once one type of business moves out a similar type cannot move back in. He is concerned that adding a vacancy tax is an extra burden and a potential overreach by Council. Chair Sutton thanked Mr. Yarger for his email and said that the goal is discussing this as a way to incentive owners to fill their vacancies faster, as these vacancies can be a blithe on the community, citing the Ponderosa location. Chair Sutton said that other municipalities have adopted something like this and wanted to continue to conversation. She said it would be possible to write an ordinance that would allow for good faith efforts and flexibility can be added in. To create the right incentive to rent the space and there are lease requirements that we would need to look into. City Manager said that there are private leases that we are not privy too. Goodwin also said that Parkway Plaza is also planning to demolish the Ponderosa location. Discussion around how to work on the lease or other details to help rent places faster. The West Avenue Plaza that has been vacant for some time would be an example of why this is needed. Questions on what is the definition of vacancy, available property being commercial that is being run down and clearly available. As opposed to something like the Acme Building that isn't rented but owned and well maintained. The Mayor said a good example is the Salvation Army building and how that has been subdivided and is now rented. David Hou said that calling this a tax may not be the right terminology. Reviewing what other municipalities have done will be a good step, this might be more of a Zoing issue. There are not too many areas within New York State that are doing this and he did connect with the City Clerk of Kingston, whose location was featured in the research. The City Clerk of Kingston said that the ordinance was not very popular and did not move forward out of committee. A vacant commercial property registry may be an option. Council discussed vacancies both residential and commercial registry. Mayor Palumbo is concerned that this may not be as big of an issue and it may be an over reach as Mr. Yager suggested. He said that Denise Chaaple does a good job of recruiting as well as looking at the Chamber to help fill these vacancies. Councilmember Lyon also sees a few pitfalls moving forward with this and looking to speak with property owners on why these vacancies exist and for how long. Seems a lot of work for just a handful of properties. Councilmember Covington suggests that doing due diligence is needed and there is no harm in exploring. Councilmembers want to better understand the full scope of the problem and the players involved. Chair Sutton will do more review and come back to the committee with details.

The Mayor asked about the telephone poll replacement and in the case of Canandaigua, we will now have three to four carriers for internet. Each poll has a carrier These are outside of the reach of the City and it is something in progress. The City will be coordinating as best we can and filing complaints on how this has been handled.

Councilmember White motioned to adjourn the meeting, seconded by Councilmember Covington. Unanimously passed and carried.

Chair Sutton closed the meeting.