



**WHEREAS**, the Financial Statements for the year ending December 31, 2022 prepared by Mengel Metzger Barr & Co, LLP were presented to the Finance Committee at its June 6, 2023 meeting;

**NOW, THEREFORE, BE IT RESOLVED**, by City Council that the Financial Statements for the year ending December 31, 2022 prepared by Mengel Metzger Barr & Co, LLP, attached hereto, are hereby accepted.

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

**Resolution #2023-067:**

Moved: Councilmember-at-Large Sutton

Seconded: Councilmember-at-Large Covington

**A RESOLUTION UPDATING THE CITY OF CANANDAIGUA INVESTMENT POLICY**

**WHEREAS**, the City of Canandaigua's Investment Policy was developed to provide the Treasurer with direction regarding the investment of money and other financial resources belonging to the City of Canandaigua; and

**WHEREAS**, the City Manager and Treasurer recommended the following changes to the policy:

- Identify the signatories for all investments and cash deposits as the City Manager, Treasurer, or Clerk
- Increase the maximum deposit amounts at Canandaigua National Bank & Trust (from \$15,000,000 to \$20,000,000), NYCLASS (from \$10,000,000 to \$15,000,000), Genesee Regional Bank (reduced from \$10,000,000 to \$5,000,000) and adding Community Bank (\$10,000,000) respectively;
- For bond proceeds, the Treasurer is permitted to exceed the maximum amounts listed in *Designation of Deposit, Section A*, provided that all other provisions of the City's Investment Policy are adhered to; and

**WHEREAS**, these recommendations proposed to update the Investment Policy were reviewed and approved at the June 6<sup>th</sup> Planning and Finance Committee Meeting;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Canandaigua that the attached updated Investment Policy be adopted.

*The motion CARRIED UNANIMOUSLY on the following vote:*

**AYES:** Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Sutton, Councilmember-at-Large Uebbing and Mayor Palumbo. (9-0)

**NOES:** None

**Resolution #2023-068:**

Moved: Councilmember-at-Large Uebbing

Seconded: Councilmember Ward 1 Polimeni

**A RESOLUTION APPROPRIATING FUNDS FROM THE POLICE ASSET SEIZURE & FORFEITURE RESERVE FOR BALLISTIC SHIELD**

**WHEREAS**, the use of funding from the Police Asset Seizure & Forfeiture Reserve is limited to an unbudgeted police expenditure that will enhance law enforcement efforts; and

**WHEREAS**, the Chief of Police and City Manager recommend purchasing a ballistic shield at a total cost of \$4,650; and

**WHEREAS**, a ballistic shield provides an additional line of defense and provides further protection from ammunition strikes; and

**WHEREAS**, the Finance Committee reviewed said recommendation at its June 6, 2023 meeting;

**NOW, THEREFORE, BE IT RESOLVED**, City Council hereby appropriates \$4,650 from the Police Asset Seizure & Forfeiture Reserve to one ballistic shield which is an unbudgeted police expenditure that will enhance law enforcement efforts.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Sutton, Councilmember-at-Large Uebbing and Mayor Palumbo. (9-0)*

*NOES: None*

**Resolution #2023-069:**

Moved: Councilmember Ward 4 Dittmar

Seconded: Councilmember-at-Large Covington

**A RESOLUTION OF SUPPORT & AUTHORIZATION FOR THE CITY OF CANANDAIGUA  
2023 NEW YORK STATE CONSOLIDATED FUNDING APPLICATION,  
NEW YORK MAIN STREET GRANT APPLICATION**

**WHEREAS**, the City Manager recommended the submission of a 2023 Consolidated Funding Application (CFA) to the New York State Office of Community Renewal for funding under the New York Main Street Program's Technical Assistance category to conduct an overall study to improve community and property owner's readiness for renovation activity; and

**WHEREAS**, the Office of Community Renewal (OCR), under the direction of the Housing Trust Fund Corporation, provides a competitive statewide reimbursement grant program to provide resources to invest in projects that provide economic development and housing opportunities in downtown, mixed-use commercial districts and assist in the initial planning to stimulate reinvestment and leverage additional funds to establish and sustain downtown and neighborhood revitalization efforts; and

**WHEREAS**, The City of Canandaigua meets NYMS eligibility and is located in an eligible target area; and

**WHEREAS**, the City will be partnering with the Canandaigua Business Improvement District (BID) to submit this grant to improve downtown management and revitalization; and

**WHEREAS**, if funding is received it will allow the City to prepare a building reuse and feasibility analysis to provide property owners with the resources necessary to make informed decision regarding rehabilitation;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council of the City of Canandaigua identifies the City Manager as the authorized representative for the project, able to execute necessary documents relative to and as required for this application; and

**BE IT FURTHER RESOLVED**, that City Council does hereby agree to provide at least 5% match of the total project cost, such that applying for the maximum of \$20,000 in NYMS funds will require a minimum of \$1,053 in local match, from property owners, in the form of cash contributions only, to be appropriated in the 2024 Budget;

**BE IT FURTHER RESOLVED**, that the City of Canandaigua recognizes and fully supports the submission of the CFA for a NYMS Grant to complete a study to improve its Downtown area.

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

**Resolution #2023-070:**

Moved: Councilmember-at-Large Lyon

Seconded: Councilmember Ward 1 Polimeni

**A RESOLUTION DECLARING AN APPLICATION THROUGH THE 2023 NEW YORK STATE CONSOLIDATED FUNDING APPLICATION (CFA) UNDER THE NEW YORK STATE MAIN STREET PROGRAM AS A SEQR TYPE II ACTION**

**WHEREAS**, the City of Canandaigua is completing an application through the 2023 New York State Consolidated Funding Application (CFA) under New York State Main Street Program, created by the Housing Trust Fund Corporation (HTFC) for the preparation of a Technical Assistance Project;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council hereby classifies the above referenced Action to be a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [27] of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED**, that Type II Actions are not subject to further review under Part 617 of the SEQR Regulations;

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

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

**Resolution #2023-071:**

Moved: Councilmember Ward 2 Unrath

Seconded: Councilmember-at-Large Sutton

**A RESOLUTION AUTHORIZING THE SUBMITTAL OF A NYS CONSOLIDATED FUNDING APPLICATION FOR THE LOCAL WATERFRONT REVITALIZATION PROGRAM IN THE CANANDAIGUA LAKE WATERSHED**

**WHEREAS**, the City of Canandaigua, in partnership with the Canandaigua Lake Watershed Council, intends to submit a NYS Consolidated Funding Application to the NYS Department of State to provide funding to complete a Local Waterfront Revitalization Program project in the Canandaigua Lake watershed; and

**WHEREAS**, the grant application is seeking Local Waterfront Revitalization Program funds for to install an ADA accessible kayak/small craft launch; and

**NOW, THEREFORE, BE IT RESOLVED**, that City Council of the City of Canandaigua that the Watershed Program Manager is hereby authorized to commit the City of Canandaigua and the Canandaigua Lake Watershed Council to comply with the requirements of Article 15-A of the New York State Executive Law: Participation by Minority Group Members and Women with respect to State contracts by providing opportunities for MBE/WBE participation;

**BE IT FURTHER RESOLVED**, that the Watershed Program Manager is hereby authorized to submit a NYS Consolidated Funding Application to the NYS Department of State for Local Waterfront Revitalization Program funds to install an ADA accessible kayak/small craft launch on behalf of the City of Canandaigua and Canandaigua Lake Watershed Council.

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

**Resolution #2023-072:**

Moved: Councilmember Ward 3 White

Seconded: Councilmember Ward 4 Dittmar

**A RESOLUTION DECLARING AN APPLICATION THROUGH THE 2023 NEW YORK STATE CONSOLIDATED FUNDING APPLICATION (CFA) UNDER THE LOCAL WATERFRONT REVITALIZATION PROGRAM IN THE CANANDAIGUA LAKE WATERSHED AS A SEQR TYPE II ACTION**

**WHEREAS**, the City of Canandaigua is completing an application through the 2023 New York State Consolidated Funding Application (CFA) under NYS Department of State to provide funding to complete a Local Waterfront Revitalization Program project in the Canandaigua Lake Watershed;

**WHEREAS**, the grant application is seeking Local Waterfront Revitalization Program funds for to install an ADA accessible kayak/small craft launch; and

**NOW, THEREFORE, BE IT RESOLVED**, that City Council hereby classifies the above referenced Action to be a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [27] of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED**, that Type II Actions are not subject to further review under Part 617 of the SEQR Regulations;

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

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

**Resolution #2023-073:**

Moved: Councilmember Ward 4 Dittmar

Seconded: Councilmember Ward 1 Polimeni

**A RESOLUTION AUTHORIZING THE SUBMITTAL OF A NYS CONSOLIDATED FUNDING APPLICATION FOR THE LOCAL WATERFRONT REVITALIZATION PROGRAM IN THE CANANDAIGUA LAKE WATERSHED**

**WHEREAS**, the City of Canandaigua, in partnership with the Canandaigua Lake Watershed Council, intends to submit a NYS Consolidated Funding Application to the NYS Department of State to provide funding to complete a Local Waterfront Revitalization Program project in the Canandaigua Lake watershed; and

**WHEREAS**, the grant application is seeking Local Waterfront Revitalization Program funds for flood resiliency and gate modernization; and

**NOW, THEREFORE, BE IT RESOLVED**, that City Council of the City of Canandaigua that the Watershed Program Manager is hereby authorized to commit the City of Canandaigua and the Canandaigua Lake Watershed Council to comply with the requirements of Article 15-A of the New York State Executive Law: Participation by Minority Group Members and Women with respect to State contracts by providing opportunities for MBE/WBE participation;

**BE IT FURTHER RESOLVED**, that the Watershed Program Manager is hereby authorized to submit a NYS Consolidated Funding Application to the NYS Department of State for Local Waterfront Revitalization Program funds for flood resiliency and gate modernization on behalf of the City of Canandaigua and Canandaigua Lake Watershed Council.

Prior to the vote, Councilmember Polimeni asked about the timeframe for the approval process for the grant. City Manager Goodwin said that it varies but could be late fall, by November and explained that the grants Council is reviewing this evening all have different timeframes but ideally the City should know the result by late Fall 2023.

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

**Resolution #2023-074:**

Moved: Councilmember-at-Large Covington

Seconded: Councilmember-at-Large Sutton

**A RESOLUTION DECLARING AN APPLICATION THROUGH THE 2023 NEW YORK STATE CONSOLIDATED FUNDING APPLICATION (CFA) UNDER THE LOCAL WATERFRONT REVITALIZATION PROGRAM IN THE CANANDAIGUA LAKE WATERSHED AS A SEQR TYPE II ACTION**

**WHEREAS**, the City of Canandaigua is completing an application through the 2023 New York State Consolidated Funding Application (CFA) under NYS Department of State to provide funding to complete a Local Waterfront Revitalization Program project in the Canandaigua Lake Watershed;

**WHEREAS**, the grant application is seeking Local Waterfront Revitalization Program funds for flood resiliency and gate modernization; and

**NOW, THEREFORE, BE IT RESOLVED**, that City Council hereby classifies the above referenced Action to be a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [27] of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED**, that Type II Actions are not subject to further review under Part 617 of the SEQR Regulations;

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

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

**Resolution #2023-075:**

Moved: Councilmember-at-Large Lyon

Seconded: Councilmember Ward 1 Polimeni

**A RESOLUTION OF SUPPORT, AUTHORIZATION AND PROJECT EXPENDITURES FOR  
THE 2023 WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA) GRANT PROGRAM FROM  
THE CITY OF CANANDAIGUA  
FOR THE BENEFIT OF WATER SYSTEM IMPROVEMENTS**

**WHEREAS**, the New York State Environmental Facilities Corporation (EFC) is offering grant funding for drinking water projects to selected municipalities with infrastructure projects that protect public health and/or improve water quality through the New York State Water Infrastructure Improvement Act (WIIA) Grant Program; and

**WHEREAS**, the City Council of the City of Canandaigua, supports the submission of a WIIA grant application for water system improvements to protect water quality and public health; and

**WHEREAS**, the water plant makes use of gravity settling to clarify its water within the settling basins and funding would be applied to the rehabilitation of the settling basin equipment including new sludge vacuums and larger tube settlers; and

**WHEREAS**, the purpose of this project is to aid in the avoidance of a potentially catastrophic loss of the single water supply which would endanger public health as well as overall water quality;

**NOW, THEREFORE, BE IT RESOLVED**, the City Council of the City of Canandaigua authorizes and designates the City Manager as the representative to sign the grant application on behalf of the City and to execute necessary associated documents relative to and as required for the application; and

**BE IT FURTHER RESOLVED**, that the City Council authorizes the undertaking of this project and the maximum total project cost of up to \$1,053,750 including expenditures necessary to meet any required local match, including any cash and/or in-kind services; and

**BE IT FURTHER RESOLVED**, City Council does hereby accept that they shall provide at least 40% match of the total of any grant funding awarded in the form of in-kind services and/or cash contributions to be appropriated and obligated in the Water Fund 2024 Capital Budget; and

**BE IT FURTHER RESOLVED**, that the City Council of the City of Canandaigua, recognizes and fully supports the project as well as the submission of the WIIA application to protect public health and water quality with an expeditiously ready project.

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

**Resolution #2023-076:**

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

**A RESOLUTION DECLARING AN APPLICATION THROUGH THE WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA) AS A SEQR TYPE II ACTION**

**WHEREAS**, the City of Canandaigua is completing an application through the New York State Environmental Facilities Corporation (EFC) for a Drinking Water Improvement Project for the installation of a redundant transmission main from the Water Treatment Plant to the storage facilities;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council hereby classifies the above referenced Action to be a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [9] and 617.5 [c][13] of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED**, that Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

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

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

**Resolution #2023-077:**

Moved: Councilmember-at-Large Uebbing  
Seconded: Councilmember-at-Large Sutton

**A RESOLUTION SETTING THE TIME AND PLACE OF A PUBLIC HEARING ON AN ORDINANCE AMENDING CHAPTER 669 REQUIRING MANDATORY INSPECTION AND REPLACEMENT OF LEAD WATER SERVICE LINES AT PROPERTY TRANSFER**

**WHEREAS**, the City Council desires, although not required by law, to hold a public hearing on changes to Chapter 669; and

**NOW, THEREFORE, BE IT RESOLVED**, by City Council that a public hearing on an ordinance amending Chapter 669, "Water Use" shall be held in the City Council Chambers, Hurley Building, 205 Saltonstall Street, Canandaigua, New York and/or virtually at <https://us06web.zoom.us/j/85999209422> during the City Council meeting beginning at 7:00 p.m. on Thursday, August 3, 2023;

**BE IT FURTHER RESOLVED**, although not required, the City Clerk shall cause notice to be given the same as the requirements of Section 3.14 of the Canandaigua City Charter and Section 20 of the Municipal Home Rule Law.

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

**Resolution #2023-078:**

Moved: Councilmember-at-Large Covington  
Seconded: Councilmember-at-Large Sutton

**A RESOLUTION ACCEPTING THE DONATION OF A FUNDS FOR SIGNAGE AND STAGE**

*Thursday, July 13, 2023 minutes*



**WHEREAS**, the Rotary Club of Canandaigua (herein referred to as Rotary), since its inception in 1919, has followed the mission statement of visioning a world where people unite and take action for lasting change and impact and the Rotary wishes to make an investment in the City of Canandaigua, the Business Improvement District and the entire Canandaigua community; and

**WHEREAS**, the Rotary is committing funds toward improvements to the Main Street outdoor venue known as Central on Main; and

**WHEREAS**, the Rotary requests the funds be used for a bandstand and Main Street entrance signage; and

**WHEREAS**, the Main Street entrance signage as well as the bandstand will include the recognized symbol and mark of Rotary International along with the wording “Rotary Club of Canandaigua,” and no additional service clubs or donors will be attached to either structure; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Canandaigua City Council hereby accepts the donated funds from the Rotary Club of Canandaigua and thanks Rotary for their generous donation for the betterment of downtown Canandaigua;

**BE IT FURTHER RESOLVED**, the Capital Fund will be amended by \$40,000 to include the donation as a revenue and a future capital fund expenditure.

Prior to the vote, Councilmember Polimeni thanked the Rotary Club for their donation.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Sutton, Councilmember-at-Large Uebbing and Mayor Palumbo. (9-0)*

*NOES: None*

**Resolution #2023-079:**

Moved: Councilmember Ward 2 Unrath

Seconded: Councilmember Ward 1 Polimeni

**A RESOLUTION ENTERING INTO A MAINTENANCE AGREEMENT WITH CANANDAIGUA  
EMERGENCY SQUAD**

**WHEREAS**, the Canandaigua Emergency Squad desires to have its vehicle fleet maintained by the City’s Central Garage, situated at the Department of Public Works Complex at 205 Saltonstall Street in the City of Canandaigua; and

**WHEREAS**, the City will provide all labor, equipment, material and supervision necessary to perform vehicle maintenance services for the Emergency Squad’s fleet of vehicles at the Department of Public Works Complex at 205 Saltonstall Street; and

**WHEREAS**, the City and the Canandaigua Emergency Squad, in favor of shared services, are in support of this arrangement; and

**WHEREAS**, the City and the Canandaigua Emergency Squad will enter into a Fleet Maintenance Agreement containing mutual promises and covenants; and

**WHEREAS**, the City Manager and Director of Public Works recommend executing the Fleet Maintenance Agreement with the Canandaigua Emergency Squad located at 233 North Pearl Street, Canandaigua, New York 14424;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council hereby authorizes the City Manager to execute the Fleet Maintenance Agreement, in substantially the same form as attached hereto, with the Canandaigua Emergency Squad, 233 North Pearl Street, Canandaigua, New York 14424.

Prior to the vote, Councilmember Unrath thanked City Management for making this happen. City Manager said that the City was happy to help EMS for all that they do and have been doing with the recent flooding. The Mayor thanked EMS as well and thought this was a great way to use shared services.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Sutton, Councilmember-at-Large Uebbing and Mayor Palumbo. (9-0)*

*NOES: None*

**Resolution #2023-080:**

Moved: Councilmember Ward 4 Dittmar

Seconded: Councilmember-at-Large Covington

**A RESOLUTION AWARDING A CONTRACT FOR WATER DISTRIBUTION SYSTEM PARTS**

**WHEREAS**, on Thursday, June 22, 2023 the Department of Public opened bids for a variety of water distribution system parts including pipe, fittings, valves, hydrants, etc. required to complete various upcoming projects and maintain City infrastructure; and

**WHEREAS**, two (2) vendors responded to the solicitation; and

**WHEREAS**, Blair Supply Corporation, located at 785 Beahan Rd, Rochester, NY 14624 offered the lowest responsible bid for all of the requested materials, with a total cost of \$32,617.00; and

**WHEREAS**, Resolution #2023-041 awarded a contract for water distribution system and wastewater collection system parts but did not include all necessary water parts; and

**WHEREAS**, City Staff deems it in the best interest of the City to award the purchase of the requested materials to Blair Supply Corporation; and

**WHEREAS**, sufficient funds exist for these purchases and are included in the City of Canandaigua 2023 Adopted Budget;

**NOW, THEREFORE, BE IT RESOLVED**, that City Council hereby awards the 2023 purchase of water distribution system and wastewater collection system parts to Blair Supply Corporation, located at 785 Beahan Road in Rochester, NY.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*Thursday, July 13, 2023 minutes*

*AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Sutton, Councilmember-at-Large Uebbing and Mayor Palumbo. (9-0)*

*NOES: None*

**Resolution #2023-081:**

Moved: Councilmember-at-Large Covington

Seconded: Councilmember Ward 4 Dittmar

**A RESOLUTION SETTING THE TIME AND PLACE OF A PUBLIC HEARING ON THE ZONING ORDINANCE AMENDING CHAPTER 850 WITH REFERENCE TO SHORT-TERM RENTALS AND BED & BREAKFAST ESTABLISHMENTS**

**WHEREAS**, the City Council desires, although not required by law, to hold a public hearing on changes to Chapter 850; and

**NOW, THEREFORE, BE IT RESOLVED**, by City Council that a public hearing on an ordinance amending Chapter 850, "Short Term Rentals and Bed & Breakfast Establishments" shall be held in the City Council Chambers, Hurley Building, 205 Saltonstall Street, Canandaigua, New York and/or virtually at <https://us06web.zoom.us/j/85999209422> during the City Council meeting beginning at 7:00 p.m. on Thursday, August 3, 2023;

**BE IT FURTHER RESOLVED**, although not required, the City Clerk shall cause notice to be given the same as the requirements of Section 3.14 of the Canandaigua City Charter and Section 20 of the Municipal Home Rule Law.

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

**Resolution #2023-082:**

Moved: Councilmember-at-Large Lyon

Seconded: Councilmember Ward 1 Polimeni

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

**WHEREAS**, the City intends to apply for a New York State Parks, Recreation and Historic Preservation (NYSPRHP) 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;

**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 (9-0)*

**Resolution #2023-083:**

Moved: Councilmember-at-Large Sutton

Seconded: Councilmember Ward 1 Polimeni

**A RESOLUTION OF SUPPORT AND AUTHORIZATION FOR 2023 CONSOLIDATED FUNDING APPLICATION FOR PARK IMPROVEMENTS FOR SONNENBERG PARK**

**WHEREAS**, the City seeks to improve 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 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 2024 Capital Budget;

**BE IT FURTHER RESOLVED**, that the City Council recognizes and fully supports the submission of this 2023 Park Grant CFA for improvements to Sonnenberg Park.

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

**Resolution #2023-084:**

Moved: Councilmember Ward 2 Unrath

Seconded: Councilmember-at-Large Sutton

**A RESOLUTION AUTHORIZING A SPECIAL EVENT**

*Canandaigua YMCA End of Era Party*

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

- *Canandaigua YMCA End of Era Party*

Date: July 31, 2023

Location: Atwater Park/Atwater Place

Coordinator: Kate Eberts

Time: 6:30 to 8:30 p.m.

Purpose: The YMCA is closing and they are celebrating the years they have been open at that location.

Expected Number of Participants: 500

**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

**BE IT FURTHER RESOLVED** that the organizer of the Special Event shall adhere to any regulations that the City Manager and 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 (9-0)*

**Resolution #2023-085:**

Moved: Councilmember-at-Large Covington

Seconded: Councilmember Ward 4 Dittmar

**RESOLUTION APPROVING SETTLEMENT OF PENDING TAX ASSESSMENT LITIGATION  
WITH DP FULLER FAMILY LP**

**WHEREAS**, there is currently tax assessment litigation pending between the City of Canandaigua and DP Fuller Family LP in New York State Supreme Court, Ontario County, including the 2019 tax assessment year (Index No. 125479-2019), the 2020 tax assessment year (Index No. 127538-2020), the 2021 tax assessment year (Index No. 129949-2021), and the 2022 tax assessment year (Index No. 133279-2022) entitled *DP Fuller Family LP v. The City of Canandaigua, the Board of Assessment Review for the City of Canandaigua, County of Ontario*,

relating to property located at 250 Eastern Boulevard in the City of Canandaigua (tax identification # 84.14-1-5.21) (the “Subject Property”); and

**WHEREAS**, the aforesaid tax assessment proceedings are hereinafter referred to as the “Litigation”; and

**WHEREAS**, the Subject Property was assessed at \$1,555,000 on the 2019 assessment roll, at \$1,555,000 on the 2020 assessment roll, at \$1,679,000 on the 2021 assessment roll, at \$1,679,000 on the 2022 assessment roll, and at \$750,000 on the 2023 assessment roll; and

**WHEREAS**, after reviewing all documentation, the assessor and corporation counsel recommend to the City Council that the Litigation be settled; and

**WHEREAS**, it is proposed that, in settlement of the Litigation, the Litigation shall be discontinued; and

**WHEREAS**, it is proposed that, in settlement of the Litigation, the City reduce the assessment of the Subject Property to the following assessments:

2019 Assessment: \$850,000  
2020 Assessment: \$850,000  
2021 Assessment: \$850,000  
2022 Assessment: \$750,000  
2023 Assessment: \$750,000 (No Change); and

**WHEREAS**, it is proposed that, in settlement of the Litigation, refunds shall be paid by the City of Canandaigua, County of Ontario, and the Canandaigua City School District on the reduced 2019, 2020, 2021, and 2022 assessments of the Subject Property within 60 days of service of the signed order, and that interest shall not be owed on the refunds unless such refunds are not paid within the aforesaid time period; and

**WHEREAS**, it is proposed that, in settlement of the Litigation, the provisions of RPTL § 727 shall apply to the 2022 revised assessment amount of the Subject Property on the 2023, 2024 and 2025 assessment rolls only, except that the exceptions in RPTL § 727(2)(a) (relating to revaluation or update of all real property on the assessment roll) and RPTL § 727(2)(b) (relating to revaluation or update in a special assessing unit of all real property of the same class) shall not apply.

**NOW, THEREFORE, BE IT RESOLVED**, that settlement of the Litigation on all of the terms set forth above, including the reduction of the assessment of the Subject Property to \$850,000 on the 2019, 2020, and 2021 Assessment Rolls and to \$750,000 on the 2022 Assessment Roll; payment of refunds on the reduction of the 2019, 2020, 2021 and 2022 assessments of the Subject Property, and application of the provisions of RPTL § 727 to the assessments of the Subject Property on the 2023, 2024 and 2025 assessment rolls only, except that the exceptions in RPTL § 727(2)(a) and (2)(b) shall not apply, is hereby approved; and

**BE IT FURTHER RESOLVED** that City Corporation Counsel may seek Court approval for the aforesaid settlement; and

**BE IT FURTHER RESOLVED** that the City Manager and City Corporation Counsel are authorized to execute all documents necessary to effectuate the referenced settlement; and

**BE IT FURTHER RESOLVED** that the sum of \$24,064.05 is hereby appropriated from the 2023 Budget Contingency to the appropriate account as determined by the City Treasurer for payment of the refunds referenced above.

Prior to the vote, Councilmember Polimeni noted that the Canandaigua City School District also faced a similar outcome.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Sutton, Councilmember-at-Large Uebbing and Mayor Palumbo. (9-0)*

*NOES: None*

**Resolution #2023-086:**

Moved: Councilmember Ward 4 Dittmar

Seconded: Councilmember-at-Large Sutton

**A RESOLUTION AUTHORIZING A CAPITAL BUDGET AMENDMENT**

**WHEREAS**, project administration costs related to the reconstruction of North Bloomfield Road were originally intended to be included in a debt issuance, but due to the project being placed on hold, a portion of the project administration costs needs to be paid for the project administration that took place during the design phase; and

**WHEREAS**, the total cost is \$8,717.75 and the City Manager recommended appropriating this amount from the Capital Reserve to the Capital Fund and said recommendation was reviewed and approved by the Finance Committee at its July 11<sup>th</sup> meeting; and

**NOW, THEREFORE, BE IT RESOLVED**, City Council hereby authorizes a capital budget amendment appropriating \$8,717.75 from the Capital Reserve to the Capital Fund for a portion of the project administration costs

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Sutton, Councilmember-at-Large Uebbing and Mayor Palumbo. (9-0)*

*NOES: None*

**Ordinances:**

**Ordinance #2023-004:** *(Councilmember Ward 3 White motioned to continue to place this on the table, originally introduced at the June 1, 2023 meeting. Seconded by Councilmember Ward 4 Dittmar, carried by voice vote 9-0)*

**An Ordinance Amending Chapter 669 Requiring Mandatory Inspection and Replacement of Lead Water Service Lines at Property Transfer**

Councilmembers discussed the ordinance and the Mayor asked for a Public Hearing to help educate the public to the need. Mr. Goodwin explained that adding this ordinance will help the City in their compliance with the

EPA Mandate as discussed in previous meetings. Currently, DPW staff are installing new meters, which will help aid DPW in their work to determine the piping structure of each home. Mr. Goodwin reminded that the curb to the home is the property owner responsibility, should any changes be needed. He is expected to hear more on potential funding/aide from the government for residents. Mr. Goodwin noted that adding a public hearing on this measure for July, will mean this ordinance will be up for adoption in August. Councilmember Lyon said that they could do a special meeting, but there is really no rush for this. Councilmember Unrath asked about funding opportunities for citizens that may not be able to fund updating the piping. The curb box to the house, the service line is private owned, and this is part of the property transfer process to document the piping. Mr. Goodwin noted that with the EPA's mandate on the City to do with we have until October 2024.

**Ordinance #2023-005:** *(Councilmember Ward 2 Unrath read and introduced the ordinance and motioned to place it on the table, seconded by Councilmember-at-Large Uebbing, carried by voice vote 9-0)*

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
WITH REGARD TO SHORT-TERM RENTALS  
AND BED & BREAKFAST ESTABLISHMENTS**

**WHEREAS**, the City Council most recently enacted an ordinance regulating Short Term Rentals on September 14, 2018, through Ordinance 2018-010; and

**WHEREAS**, at the City Council's Planning Committee meeting of April 5, 2023; the City Council heard recommendations from the Planning Commission and the Zoning Board of Appeals regarding the regulation of Short-Term Rentals; and

**WHEREAS**, the Planning Committee of the City Council after further consideration has recommended amending the Short-Term Rental ordinance;

**NOW, THEREFORE, BE IT ENACTED** by the City Council of the City of Canandaigua, that:

**Sec. 1** Article II "Terminology" hereby amended as follows:

***SHORT-TERM RENTAL***

A **complete** residential dwelling unit ~~or portion thereof rented for habitation~~ **that provides lodging without a host present** for a period of less than 30 days. Such properties are regulated under §850-110.5.

***TOURIST HOME/BED-AND-BREAKFAST***

~~A building or part thereof other than a hotel, motel or restaurant~~ **A single-family dwelling with a resident host that provides lodging and possibly meals** for persons primarily for overnight accommodations and where no cooking or dining facilities are provided in individual rooms. **Such establishments are regulated under §850-101.**



Sec. 2 § 850-101 “Tourist Homes and Bed-and-Breakfasts” shall be deleted and replaced with the following:

- A. Tourist Homes and Bed-and-Breakfasts may be permitted in the R-1B, R-2, R-3, R-I, R-L, **R-O, and MU** zone districts, provided **that the Planning Commission determines that the following standards are met:**
  - 1. The Planning Commission finds that the proposed use is compatible with adjacent properties, will not adversely affect property values and is consistent with the objectives of the City Comprehensive Plan.
  - 2. **The use as a tourist home/bed-and-breakfast shall involve the rental of a partial dwelling unit within a single-family dwelling.**
  - 3. **A resident of the dwelling shall be present during the rental. There shall be no more than two, nonresident employees.**
  - 4. The proposed use shall be in compliance with Chapter 748, Housing Standards, of the Code of the City of Canandaigua and the New York State Uniform Fire Prevention and Building Code.
  - 5. The use of the premises as a bed and breakfast shall not require or involve any exterior alterations to the structure which will make it appear as other than a single-family residence
  - 6. The establishment shall not sell meals to persons other than overnight guests, unless otherwise permitted as a restaurant in compliance with §850-83.
  - 7. The establishment shall not operate as a rooming house or boardinghouse as defined in §850-12.
  - 8. **The establishment shall be considered a lodging facility. Applicable county and local lodging tax shall be collected.**
  - 9. **The owner shall maintain records identifying names and permanent addresses of all renters and the duration of their stay.**
  - 10. **The Planning Commission shall determine, on a case-by-case basis, the maximum occupancy, but in no case shall the occupancy exceed 10 guests at any one time.**
  - 11. Off-street parking shall be provided. The Planning Commission may determine, on a case-by-case basis, what the parking requirement shall be, provided that such requirement shall not exceed the requirements of Schedule II

**Sec. 3.** §850-110.5 “Short-Term Rentals. shall be deleted and replaced with the following:

- A. Short-term rentals may be permitted in a complete residential dwelling unit in any zone district provided that the Planning Commission determines that the following standards are met:
1. The Planning Commission finds that the proposed short-term rental is compatible with adjacent properties, will not adversely affect property values and is consistent with the objectives of the City Comprehensive Plan.
  - 2. Within the R-1A, R-1B, R-2, R-3, and R-L zone districts, the short-term rental unit shall be the owner's primary residence, and may not be rented for more than a total of 90 days in each calendar year.**
  - 3. The rental unit shall be registered and periodically inspected in compliance with the City of Canandaigua Rental Inspection Program.**
  4. The proposed short-term rental shall be in compliance with Chapter 748, Housing Standards, of the Code of the City of Canandaigua and the New York State Uniform Fire Prevention and Building Code.
  5. The use of the premises shall not require or involve any exterior alterations to the structure.
  6. The short-term rental property shall not sell meals to persons other than overnight guests, unless otherwise permitted as a restaurant in compliance with § 850-83.
  7. The short-term rental property shall not operate as a rooming house or boardinghouse as defined in § 850-12.
  8. The short-term rental property shall be considered a lodging facility. Applicable county and local lodging tax shall be collected.
  9. The owner shall maintain records identifying names and permanent addresses of all renters and the duration of their stay.
  10. The Planning Commission shall determine, on a case-by-case basis, the maximum occupancy.
  11. Off-street parking shall be provided. The Planning Commission may determine, on a case-by-case basis, what the parking requirement shall be, provided that such requirement shall not exceed the requirements of Schedule II.
  - 12. The Special Use Permit shall be issued as a temporary, renewable permit, which shall expire three years from the date of approval. The permit shall be renewed administratively by the Zoning Officer upon verification of compliance with the provisions of the section. If the Zoning Officer determines noncompliance or verifies written complaints received, the permit shall be forwarded to the Planning Commission for review in accordance with the procedure of the original review. The permit may be revocable at any time if the conditions of approval are not being met.**
  - 13. The Special Use Permit shall not be transferable to a different property owner.**

**Sec. 4. All Short Term Rental Special Use Permits issued prior to the adoption date of this ordinance may be continued in accordance with the conditions of that permit, but with the addition of the provisions outlined in §850-110.5.A.12 and §850-110.5.A.13.**

**Sec. 5.** This ordinance shall be effective thirty (30) days following its enactment.

**Manager's Report:** City Manager Goodwin reviewed the upcoming Arts and Music Festival happening on Main Street this upcoming weekend. He addressed the flooding, thanking all the agencies, municipalities involved in helping affected residents. He specifically thanked Ontario County Supervisor, Chris DeBolt for his leadership during this crisis. He thanked Fire Chief, Frank Magnera and Police Chief, Matthew Nielsen for all their hard work as well as their staffs. He thanked Assistant City Manager Shawna Bonshak for her work as well. He reviewed that 5.8 inches of rain was recorded at the Canandaigua Airport, that fell in three hours, causing Sucker Brook to flood. The neighborhoods that are around the Brook were the most impacted. Some houses were declared uninhabitable. Ai

**Miscellaneous:** Mayor Palumbo echoed the sentiments of City Manager Goodwin in thanking all the local municipalities and governmental offices that helped with the flooding. He has spoken with all our State representatives and thanked them for their help in coordinating all of the teams. He is aware that there are still a couple of home that are without power, and those specific homes are being address and he acknowledged the residents that will not be able to return to their homes. He said he grateful for all the help that the community has received and knows it will be a longer recovery for some.

**Adjournment:** Councilmember Ward 1 White motioned to adjourn the meeting, seconded by Councilmember Dittmar, unanimously carried and passed by voice vote. (8-0). Meeting adjourned at 8:01 pm.

**APPENDIX A**  
**ENVIRONMENTAL COMMITTEE & ORDINANCE COMMITTEE MINUTES**  
**TUESDAY, JULY 18, 2023, 7:00 PM**  
**HURLEY BUILDING, 205 SALTONSTALL STREET**  
**VIRTUALLY: <https://us06web.zoom.us/j/84936309067>**  
**LIVE STREAM: <https://fingerlakestv.org/live/>**

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

**Other Council Members Present:** Thomas Lyon  
Steve Uebbing  
Ellen Polimeni  
Dan Unrath  
Mayor Palumbo

**City staff:** John Goodwin, City Manager  
David Hou, Corporation Counsel

Chair White opened the meeting and she welcomed those present.

Chair White reviewed the update from the Canandaigua Lady. John Brennan, on behalf of the owners of the Canandaigua Lady, presented a two phased dock modification request at May 2nd Planning and Finance Committee meeting. Phase 1 would add a slip on the east side of the dock to allow for a 10-person excursion boat. At the meeting, Council encouraged Mr. Brennan to explore an electric boat and to also look into “educational” elements/programming during small boat excursions. As this is an amendment to the easement for the dock, City Council approval is necessary. John Brennan, Captain of the Canandaigua Lady, presented. He said that their main focus is the small tour boat. It would be more efficient for them to have a smaller boat for weekday groups instead of taking out the Lady when it isn’t cost effective. Chair White asked if they are using a temporary mooring or a long-term option. Mr. Brennan said it would be a long-term option would be best. Councilmember Uebbing went on a boat on Keuka Lake, which was educational in nature, he liked the idea of doing something with the Lady and a small tour boat, similar to what is being discussed. Councilmember Sutton asked if the Lady goes out with less passengers when it isn’t cost effective and yes, they do, Mr. Brennan confirmed. Discussion on making a classroom out of the boat could happen, they are open do exploring at some point. Councilmember Sutton said that she is not in favor of adding another dock to the area. Mr. Brennan said it wouldn’t be a dock, just an additional hoist. Councilmember Polimeni, said that this is similar to what Captain Gray did several years ago, she is in favor of having this as an opportunity. Karen, from 252 North Main Street, runs Oliver Phelps Bed and Breakfast, she refers guests to other Lakes because we do not have this opportunity. Mayor Palumbo is in favor of moving this forward. Councilmember Dittmar motioned to accept phase one, Councilmember Covington seconded, vote passed 3 -1 with Councilmember Sutton voting no.

Chair White moved to review the CLWA Presentation. Councilmember Polimeni presented on the Watershed Association and introduced, Doug and Mrs. Polimeni have been meeting with local Town Boards on the Association, for what they review and address for the area. The Town of Canandaigua is the only location they



we are all responsible for protecting and taking care of the environment. Carbon emissions are the core of this problem and we have the opportunity to make change, but we should take an opportunity to explore.

Chair Dittmar moved to review the Senior Citizen Exemption. The City provides a property tax exemption in accordance with Real Property Tax Law section 467, to senior citizens with limited income. The senior citizens exemption was raised for the City in 2008 to \$28,899. Prior to that, the last revision was in 1995 raising the maximum to \$22,500. A presentation was made at the July 11<sup>th</sup> Finance Committee meeting and it was requested that discussion continue at the Ordinance Committee. Mr. Goodwin noted that they want to evaluate for three years. Councilmember White said that she liked the idea and wondered if \$32K could be raised. Mr. Goodwin said that they are adding a slight bump and not taking away what is considered income. Councilmember Covington asked if the impact is what would be studied. Councilmember Sutton asked about the adjustments, not including Social Security and taxable IRA distributions. Councilmember Sutton asked to review the law. Mr. Goodwin noted that this would be impacted on the 2024 assessment roll it doesn't become effective until July of the new year. There is a deadline of March to review all the details and put the law together. December 31, 2023 is the deadline, which Council can adopt at the December meeting. Chair Dittmar said that the basic recommendation would be best for the City to apply. Councilmember Sutton said that she is in favor of what is being recommendation, but didn't really understand why their income is a part of the discussion and should be rolled out. She is in favor of increasing the cap. Mr. Goodwin reviewed the spreadsheet from the presentation and showed the various options. Councilmember Uebbing said that maybe this should be circled back to the Finance based on Councilmember Sutton's questions. Chair Dittmar said that he agrees to move this back to Finance for review. Mr. Goodwin said that reviewing the denials, it was income range up to 38- 40K. Chair Dittmar moved this back to finance.

Chair Dittmar reviewed, Amendments to City Code Chapters 300 "Unsafe Buildings" and 748 "Housing Standards" A proposed ordinance amending Chapters 300 and 748 to allow for additional due process for recipients of orders to vacate unsafe structures. This amendment would allow occupants of structures that have been determined to be unsafe/dangerous, the right, upon written request, to have a hearing within three business days on the issue of whether the structure is unsafe. This right would be in addition to the existing right of occupants to have a hearing when the initial notice of unsafe structure is served under Chapter 300. Chair Dittmar asked Mr. Hou for clarification. Mr. Hou reviewed the precedent. Councilmember Covington motioned to move forward with this request for three business days, seconded by Councilmember White. Mr. Hou said it is a matter of due process, it gives a timeframe to mitigate the situation. Making sure they have the right to this request. Councilmember Covington said it is another opportunity to extend an olive branch. Mayor Palumbo asked if this for the renter or the occupant. Mr. Hou said that this is for the resident. Mr. Hou said that accountability lies with the landlord, this section is dealing with the 1% of cases and notices have been given. This is the last stage before a forced eviction. Mr. Hou continued that they are able to have a hearing to contest their situation and by the time we get to this point the violation has been well established. The motion passed and carried.

Chair Dittmar reviewed, parking on Howell Street near Sonnenberg. Parking is currently restricted along the north side of Howell from Park Street to Charlotte Street. Due to parking complaints from Howell Street residents, City Staff recommends changing the current parking restriction. Chapter 648-21 Parking, standing and stopping restrictions would be amended for Howell Street to read; *no parking on the south side from Park Street to Charlotte Street*. Mr. Goodwin showed a map of the area. Reviewed the complaints that the City has received and moving the parking will address. Councilmember Sutton asked why the parking was the designed the way it was, what was the reason. Councilmember White doesn't want to limit access and would like to expand the parking. Councilmembers discussed multiple parking options. Councilmember Unrath said that he is in favor to flip the parking. Councilmember White motioned to add parking on the North side, Councilmember Covington seconded. Before the vote, Councilmember Covington clarified keeping the parking on the South side, allowing for parking on both sides. The motion passed and carried.

Mr. Goodwin noted the CCA power program as residents are starting to receive letters. Residents can choose to opt out and remain with RGE or move to 100% renewable which is a financial impact to residents or stay with the standard supply rate. The three rates available are fixed and residents are now given the opportunity which way they choose to go. If you have not received your letter, the details are available at Gateway 585-244-0244. There is an information session tomorrow at Wood Library. Details are available on the City's website.

Councilmember Uebbing discussed the potential of creating an incentive around the gas stove ban with property tax. Councilmember White asked to have it on the discussion for the next Environmental meeting.

Chair Dittmar closed the meeting at 8:39 pm.

**APPENDIX B**  
**PLANNED UNIT DEVELOPMENT COMMITTEE**  
**PLANNING COMMITTEE & FINANCE COMMITTEE MINUTES**  
**TUESDAY, AUGUST 1, 2023, 7:00 PM**  
**COUNCIL CHAMBERS**  
**HURLEY BUILDING, 205 SALTONSTALL STREET**  
**VIRTUAL: <https://us06web.zoom.us/j/84662898580>**  
**LIVE STREAM: <https://fingerlakestv.org/live/>**

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

**Other Councilmembers Present:** Sim Covington  
Erich Dittmar  
Renee Sutton  
Karen White, via Zoom

**City Staff Present:** John Goodwin, City Manager  
Shawna Bonshak, Assistant City Manager  
David Hou, Corporation Council

Chair Lyon opened the Planned Unit Development meeting as well as the Planning Committee and welcomed those present. Chair Lyon welcomed, Erine Maiorani, 164 West Avenue in Canandaigua. He wanted to speak with Council regarding the flooding that occurred a few weeks back and wanted to know how Council is addressing the issues with Sucker Brook. He described what happened during the flooding and gave context to the history of the location, having lived there since 1958. During the flood event, he lost everything in the basement of his home from all the water. He thanked City Manager Goodwin as well as DPW staff. He asked Council what their plans are to work on efforts to ensure Sucker Brook does not flood like this again. He feels that there should be financial assistance from local officials, County officials and State. He feels let down by everyone now that the event is over and cleanup is underway. He has \$25K in damage, with very little insurance. He studied the watershed plans regarding Sucker Brook and wants to know what the plans are moving forward so this type of event doesn't happen again. Mr. Goodwin explained that the City has been working with the Watershed Council for a number of years on Sucker Brook, noting that 5.8 inches of rain fell in three hours, which was unprecedented. They had built retention ponds at various points around the City and into areas of the Town of Canandaigua for Sucker Brook and had that not happened, flooding would have been worse. Mr. Goodwin continued, that in these areas, they have to work with private residences to have their cooperation to build more retention ponds, which can be challenging. Even with these efforts, it will reduce and mitigate flooding, but it won't stop it altogether. Mr. Maiorani said that he understands the issues with Sucker Brook but what he isn't hearing is what the City plans to do to help prevent anything happening in the future. Mr. Goodwin said they are continuing to work with the Watershed Council, the County has expressed interest in helping with planning and reviewing what happened. Mr. Goodwin said that these studies take millions of dollars to accomplish and Mr. Erine countered that developers are getting PILOTs so why not use some of those monies to help residents that are struggling and fix these issues for the future. Councilmember Uebbing asked what efforts to study or what committees have been formed to address what Mr. Maiorani is discussing? He



argued that the money of what it could take the elevated the problem, should not be a deterrent to solving the problem. He asked Mr. Goodwin to form a committee to review these efforts and start to work on the problem at hand. Chair Lyon echoed the sentiment, he is hearing similar things from his neighborhood, who was also impacted and would like to know the current efforts for local residents to receive individual financial assistance to ease the burden from the flooding. Mr. Goodwin said that currently, the City did not qualify for FEMA due to not meeting the very specific criteria needed. He cited that Orange County has received \$3.1 million dollars in funding from the State to help with their flooding, which was the same day and same storm that hit our area. The Ontario County Board of Supervisors as well as City Council will be drafting resolutions calling on the Governor to sending funding assistance to the area as Orange County received. State Representatives, Pam Helming and J Gallahan are working as well to help with the State funding. Mr. Goodwin cited the work done by Kevin Olvany and his team at the Watershed to review and study the flooding. Councilmember Polimeni agrees that forming at committee would be a good thing. Councilmember Uebbing said that the committee may not solve everything, he asked if City Manager could look to set a plan in motion ahead of Thursday's Council meeting. Mr. Maiorani thanked those for listening to him and hopefully more will be done.

Chair Lyon moved into the PUD meeting. He reviewed the details for the North Classics Subdivision, as referenced in the agenda. In March, Chrisanntha, Inc. has submitted a new potential proposal in this northeast quadrant of the City between Stewart Place, Kennedy Street and North Road which was reviewed by the Planning Committee at its March 21, 2023 meeting. Chrisanntha, Inc. has now submitted a formal PUD application for a development that would include 47 residential buildings ranging from 2-6 unit buildings with 134 total units. Alexander H. Amering, PE of Rochester, NY, from Costich Engineering, along with Chris Iverson from Chrisannatha presented their plan to the committee. Councilmembers reviewed their preliminary concept drawing and plans. Currently, the plan has one entry point and has two dead ends area planned. Variations in the units may take place, depending on the market place demand for one or two car garages. They are planning to work with lenders and other programs to help potential homeowners afford these properties, currently priced between \$250K - \$400K. Councilmember Polimeni asked about them seeking a PUD and why not go the more traditional subdevelopment model? Mr. Amering said they were heading in this direction because of the attached multifamily, sidewalk and attached garages. Some of the objectives of the location would not be achievable through traditional zoning. Mr. Iverson said that the price point of the location is just a range and the cost of the materials, underground utilities and if they need to place garages in the rear of the dwelling changes to lot size. The drawings that are before Council, would need to change to accommodate that and this would change the price point of the dwellings. Councilmember Unrath asked to confirm that the HOA for the location is back on the table. Mr. Iverson, said that they reviewed the lot and it would not be practical not to have an HOA. Councilmember Unrath said that he is bothered by one entry and exit point. Mr. Iverson said that it will be a cost factor in having two entrance and exit points onto North Road. Councilmember Unrath asked if they were selling them as spec homes or if Mr. Iverson's company was going to build and sell. Mr. Iverson said they would be building on spec and then sell. Mr. Iverson pointed out that this is a conceptual drawing for everyone to review. Once others are involved, things may change. Councilmember Uebbing said he would like to see sidewalks on both sides and garages in the back but also is understandable to make it affordable to families looking to be here. He's concerned about affordability and is open to all considerations. He did advocate having an access point with Fire. Mr. Iverson said that turnaround will be at those dead ends. Chair Lyon said that may change and he was wondering if this goes to Planning and the County Planning Board for review. Mr. Goodwin noted that if this concept is accepted, a resolution would need to be passed, and all necessary stakeholders would be able to review the details of the community, all part of the PUD process. Mr. Iverson said they want to take advantage of all the programs that may be available to them in an attempt to keep costs as low as possible to help potential new homeowners have those opportunities. Councilmember Uebbing said that with only one entrance and exit that will be an issue and Mr. Goodwin noted that the Fire Department is part of the coordinated staff review, part of the overall review. Councilmember Unrath motioned to approve the concept drawings for review, seconded by Councilmember Polimeni, unanimously passed and carried.

Chair Lyon moved to close the meeting.

Finance Committee: Steve Uebbing, Chair  
Ellen Polimeni  
Thomas Lyon  
Dan Unrath

Other Councilmembers Present: Sim Covington  
Erich Dittmar  
Renee Sutton  
Karen White, via Zoom

City Staff Present: John Goodwin, City Manager  
Shawna Bonshak, Assistant City Manager  
David Hou, Corporation Council

Chair Uebbing opened the meeting and welcomed those present, he reviewed the first agenda item and welcomed City Treasurer Nancy Abdallah who reviewed the 2023 Six Month Financials. Mrs. Abdallah said that overall, the City is in line with both Expenditures and revenues for the year. She reviewed all of the funds and highlighted a few key areas. Sales Tax Revenue is in line, Occupancy Tax for the summer months have not yet been reported and will not see that data until September. Franchise Tax will be later in August as well. Interest and earnings are doing very well, up around 35%. While reviewing the Code Enforcement part of the budget, Chair Uebbing asked on a quick update of ongoing building projects. Mr. Goodwin reported that nothing has changed with the Tom Mobil's building site, that is currently on track. Factory 243, next phases seem to be in line with their timeframe and they have hired an engineering firm with a resolution coming before the full Council shortly. Returning to the financials, Mrs. Abdallah reviewed the gas and the billing issues with RGE. She explained the medical benefits for the employees and retirees are running well with the reporting due in December. Mr. Goodwin said that there were no red flags and is pleased with how things are going. Mrs. Abdallah said the only real small issue will be the water fund as the gas and electric costs associated with the fund is under budgeted and may need to add funds. Chair Uebbing thanked Mrs. Abdallah for her work.

Chair Uebbing said that this item, Fee Schedule – Towing Fees, will be moved to the August 15<sup>th</sup> Ordinance and Environmental meeting as those scheduled to come and discuss were unable to attend.

Chair Uebbing asked for a quick update on the Senior Tax, as discussed in the previous meeting. Mr. Goodwin noted that the State is coming out with more guidance and they are waiting to receive it before moving forward.

Chair Uebbing reviewed the Ontario County Arts, Culture and Recreation Grant opportunities. Ontario County has established a grant program utilizing a portion of its Federal American Rescue Plan Act funds “to assist projects that develop or expand arts, cultural and recreational opportunities as the community recovers from COVID-19.” Mr. Goodwin noted that businesses, non-profits and municipalities are eligible to apply. He would like to apply to pave park paths at Kershaw, Lakefront and Baker Park. Meanwhile the BID would like to apply for shade structures at The Commons Park (City owned) and the local group raising funds for the Roseland Sculpture Project have asked the City to sponsor a grant application on their behalf. Councilmember Lyon excused himself since he is on the committee approving the grant applications at the County. Chair Uebbing recommended voting for each one to see about support and Mr. Goodwin noted that all the applications compete against each other, with one or all potentially being awarded. Judy Chermack, representing the Ontario County Pathways said that they were applying as well that they too needed Council's support with a resolution. Denise Chaapel, spoke as well on their application for the BID office. Chair Uebbing called for separate motions for all the projects. Councilmember Polimeni motioned to approve the City and the Central on Main/BID applications,

seconded by Councilmember Unrath. Passed and carried. Councilmember Unrath motioned to approve the Ghost of Roseland's application, seconded by Councilmember Polimeni, passed and carried. Councilmember Polimeni motioned to approve the Historical Society in their proposal, seconded by Councilmember Unrath, passed and carried. Councilmember Polimeni motioned to approve the Ontario County Pathway's application, seconded by Councilmember Unrath, passed and carried.

Councilmember Polimeni motioned to close the meeting at 8:27 pm, seconded by Councilmember Unrath, passed and carried. Meeting adjourned

Respectfully submitted,  
Erin VanDamme  
City Clerk