

MINUTES OF THE CANANDAIGUA CITY COUNCIL MEETING
THURSDAY, SEPTEMBER 5 2019 7:00 P.M.
City Council Chambers
Hurley Building – 205 Saltonstall St., Canandaigua NY
City Website: canandaiguanewyork.gov

Pledge of Allegiance:

Roll Call:

Members Present: Councilmember Ward 1 Nick Cutri
Councilmember Ward 2 Robert Palumbo
Councilmember Ward 4 Renée Sutton
Councilmember-at-Large Robert O'Brien
Councilmember-at-Large James Terwilliger
Councilmember-at-Large Stephen Uebbing
Mayor Ellen Polimeni

Absent: Councilmember Ward 3 Karen White (Absent due to obligations)
Councilmember-at-Large David Whitcomb (Arrived 7:42 P.M.)

Also Present: City Manager, John Goodwin
City Clerk-Treasurer Nancy C. Abdallah
Corporation Counsel Terence Robinson, Boylan Code
Assistant City Manager Rob Richardson

Public Hearing: Local Law No. 1 of 2019 Relative to Authorizing a Property Tax Levy in Excess of the Limit Established in General Municipal Law §3-C

Mayor Polimeni opened the public hearing at 7:01 P.M.
No one was present to speak to this local law.

Mayor Polimeni closed the public hearing at 7:02 P.M.

Review of Community Core Values: Councilmember-at-Large O'Brien 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: August 1, 2019:
Moved: Councilmember-at-Large Terwilliger
Seconded: Councilmember-at-Large O'Brien
Vote Result: Carried unanimously by voice vote (7-0)

Recognition of Guests:

- Denise Chaapel, , Downtown Manager for the BID, spoke about the exciting events that have happened over the summer and the events that are coming up this fall.
- Joel Freedman, Canandaigua NY – Commends City Council for the Dog ordinance change and if anyone sees a violation, they can call the police department or the humane society. He is very

disappointed with the lack of action concerning the pesticide and foie gras issues. He proposes a ban on pesticides on pesticides for the whole City including private property.

- Paul Rossi representing Greater Association of Realtors

Committee Reports:

Planning/Development Committee: August 6, 2019 (Appendix A)

- Pickle Ball Request
- PACE Financing
- West Avenue Crosswalk
- One Way Streets-Sand Street and Dailey Avenue

Environmental/Parks Committee: No Meeting

Ordinance/PUD Committee: No Meeting

Finance/Budget Committee: August 27, 2019 (Appendix B)

- Six (6) Month-Financial Review
- CDBG Admin Proposal
- Surplus Impound Vehicles
- Surplus Leaf Machine
- Kershaw Park Reserve Appropriation-irrigation & Break Wall at Kershaw
- SRO Agreement
- NYS Water Infrastructure Improvement Act (WIIA) Grant Application

Resolutions:

Resolution #2019-067

Moved: Councilmember-at-Large Terwilliger

Seconded: Councilmember-at-Large Uebbing

A RESOLUTION RECOGNIZING AND THANKING RETIRED PUBLIC UTILITY MAINTENANCE ASSISTANT DAVID RICKARD FOR HIS 34 YEARS OF SERVICE TO THE CITY OF CANANDAIGUA

WHEREAS, David Rickard served the City of Canandaigua beginning March 11, 1985, as a Public Utility Maintenance Assistant until he celebrated his retirement on July 31, 2019; and

WHEREAS, during his 34+ years David has worked diligently to ensure the safe and efficient operation of the City's water distribution and sewage collection systems; and

WHEREAS, during his tenure David became the primary contact within the Department of Public Works for issues related to residents water usage and metering; and

WHEREAS, David has served under seven City Managers, two Mayors, and eighteen City Councils;
and

WHEREAS, during his distinguished career David has performed his duties with dedication and professionalism, and has won the respect and admiration of the community, his peers and coworkers; and

NOW, THEREFORE, BE IT RESOLVED, that the Canandaigua City Council, on behalf of the residents of the City of Canandaigua, does hereby recognize and thank David Rickard, for his 34+ years of dedicated service to the City of Canandaigua and wishes him many happy years of retirement.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2019-068

Moved: Councilmember-at-Large Uebbing

Seconded: Council Member Ward 1 Cutri

**A RESOLUTION ACCEPTING A DONATION
AND RECOGNIZING RICHARD "DICK" BUDYNAS
FOR HIS CONTRIBUTION TO ESTABLISHING CITY PICKLEBALL COURTS**

WHEREAS, on July 24th, the Canandaigua Pickleball Group joined the City for the ribbon-cutting on eight (8) dedicated pickleball courts at Sonnenberg Park; and

WHEREAS, the Canandaigua Pickleball Group would like to recognize the contributions made by Richard "Dick" Budynas, who was instrumental in the design and completion of the pickleball courts and unfortunately passed a week before they were completed; and

WHEREAS, to commemorate Dick's contributions, they would like post a small sign to be placed at the new court at the opening of a memorial tournament; and

WHEREAS, the group would also like to donate some amenities to the courts such as adding signage to number the courts and an equipment box containing racquets and balls; and

WHEREAS, the City would like to accept these donations; and

WHEREAS, this request was reviewed and approved at the August 6th Planning/Development Committee meeting;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby accepts these donations and recognizes the contributions of Richard "Dick" Budynas in the design and completion of the pickleball courts.

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

Resolution #2019-069

Moved: Councilmember Ward 4 Sutton

Seconded: Council Member Ward 2 Palumbo

**A RESOLUTION SETTING THE TIME AND PLACE OF A
PUBLIC HEARING ON LOCAL LAW No. 2 OF 2019
TO ESTABLISH A SUSTAINABLE ENERGY LOAN
PROGRAM (OPEN C-PACE) IN THE CITY OF CANANDAIGUA**

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

NOW, THEREFORE, BE IT RESOLVED by City Council that a public hearing regarding Local Law No. 2 of 2019 to establish a sustainable energy loan program (Open C-PACE) in the City of Canandaigua, shall be held in the City Council Chambers at The Hurley Building, 205 Saltonstall Street, Canandaigua, New York during the meeting held at 7:00 p.m. on October 3, 2019; and

BE IT FURTHER RESOLVED, that the City Clerk shall cause notice to be given as required by Section 3.14 of the Canandaigua City Charter and Section 20 of the Municipal Home Rule Law.

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

Resolution #2019-070

Moved: Council Member Ward 1 Cutri

Seconded: Councilmember Ward 4 Sutton

**A RESOLUTION SETTING THE TIME AND PLACE OF A PUBLIC HEARING ON
AN ORDINANCE AMENDING CHAPTER 648-7 ENTITLED
ONE-WAY ROADWAYS AND PARKING LOTS OF THE MUNICIPAL CODE**

WHEREAS, although not required, City Council requested a public hearing be held, consistent with our core values of participatory governance and continuous improvement, regarding proposed changes to Municipal Code converting Sand Street (from Telyea Street to Bristol Street) and Dailey Avenue (from Main Street to West Gibson Street) into one-way roads;

NOW, THEREFORE, BE IT RESOLVED by City Council that a public hearing regarding an ordinance amending Chapter 648-7 entitled One-Way Roadways and Parking Lots of the Municipal Code, shall be held in the City Council Chambers at The Hurley Building, 205 Saltonstall Street, Canandaigua, New York during the meeting held at 7:00 p.m. on October 3, 2019; and

BE IT FURTHER RESOLVED, that the City Manager is directed to notify property owners on Bristol Street, Telyea Street, Adelaide Avenue, Sand Street, Dailey Avenue, and West Gibson Street of said public hearing.

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

Resolution #2019-071

Moved: Councilmember-at-Large Whitcomb

Seconded: Council Member Ward 2 Palumbo

A RESOLUTION AWARDING A CONTRACT FOR PROGRAM DELIVERY AND ADMINISTRATION OF CDBG GRANT FUNDING

WHEREAS, the City of Canandaigua recently been awarded CDBG economic development grant funds to assist in the development of a restaurant and bar located at 170 S. Main Street; and

WHEREAS, this grant totals \$100,000 with \$16,000 for program delivery and grant administration.; and

WHEREAS, the City solicited proposals via an RFP for firms to perform program delivery and grant administration and received two proposals; and

WHEREAS, City staff reviewed the proposals and recommends the H. Sicherman/The Harrison Studio due to their extensive experience with the CDBG program; and

WHEREAS, this recommendation was reviewed and approved at the August 27th Finance/Budget Committee meeting;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby awards a contract to the Harrison Studio for the program delivery and administration; and

BE IT FURTHER RESOLVED, that the City Council authorized the City Manager to execute a professional services contract with The Harrison Studio for a total cost not to exceed \$16,000 for the program delivery and administration of the CDBG grant for 170 S. Main Street.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2019-072

Moved: Councilmember-at-Large O'Brien

Seconded: Council Member Ward 1 Cutri

A RESOLUTION DECLARING IMPOUNDED VEHICLES SURPLUS

WHEREAS, there exists certain impounded vehicles, so noted on the attached list, that have not been claimed by their owners; and

WHEREAS, it is necessary to declare as surplus the vehicles on the attached list so that they may be sold at public auction or via sealed bid;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby declares as surplus the vehicles contained on the attached list and that they are to be sold to the highest bidder at a public auction or through sealed bids.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2019-073

Moved: Council Member Ward 2 Palumbo

Seconded: Councilmember Ward 4 Sutton

A RESOLUTION DECLARING USED AND UNWANTED CITY EQUIPMENT SURPLUS

WHEREAS, there exists used and unwanted equipment, trailer mounted vacuum leaf collection machine, that is no longer essential to the operations of the City of Canandaigua; and

WHEREAS, it is necessary to declare as surplus trailer mounted vacuum leaf collection machine such that it may be sold to another municipality, at public auction, via sealed bid, or as trade ins; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby declares as surplus the trailer mounted vacuum leaf collection machine and it is to be sold to the Town of Webster for the appraised full market value or to the highest bidder at a public auction, through sealed bids, or to be traded in on future equipment purchases pursuant to City and State purchasing guidelines.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2019-074

Moved: Council Member Ward 2 Palumbo

Seconded: Council Member Ward 1 Cutri

A RESOLUTION APPROPRIATING FUNDS FROM THE KERSHAW PARK RESERVE FOR IRRIGATION AND BREAK WALL REPAIR

WHEREAS, the irrigation control system at Kershaw Park malfunctioned this season and it was found to be in need of replacement at an estimated cost of \$6,000; and

WHEREAS, in addition, the break walls at the Kershaw Beach have started to deteriorate and need to be addressed to protect the beach area and prevent the sand of the beach from being washed away into the Lake; and

WHEREAS, City Staff recommends retaining an engineering firm to evaluate and design a new break wall for the beach area at an estimated cost of \$10,000; and

WHEREAS, for both of these projects, City Staff is requesting an appropriation of \$16,000 from the Kershaw Park Reserve Fund; and

WHEREAS, this request was reviewed and approved at the August 27th Finance/Budget Committee meeting;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby appropriates \$16,000 from the Kershaw Park Reserve to fund repairs on the irrigation control system (\$6,000) and the design for break wall repair (\$10,000).

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2019-075

Moved: Councilmember-at-Large Uebbing

Seconded: Councilmember-at-Large Whitcomb

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 2019-2020 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.

Discussion:

Councilmember-at-Large Uebbing stated the Councilmember Ward 4 Sutton provided studies to the Council indicating that benchmarks are needed to see if the program is meeting its goals. We should be working with the school on these benchmarks but the SRO program is more community policing than enforcement and can be useful to thwart possible attacks.

Councilmember Ward 4 Sutton will be voting against this resolution, not because she is against school safety, but questions if this is the best use of tax dollars and the effectiveness of this program. Does it make school safer? How is effectiveness demonstrated?

Councilmember-at-Large Whitcomb appreciates her position but this is not entirely something that can be based on factual data. Comfort level cannot be quantified. There is an all-time high of distrust of police officers in the Country so we should be doing anything we can to rebuild trust with law enforcement.

Mayor Polimeni had dealt with SRO's for several years at the middle school and saw interaction of the school and families with the SRO to seek ideas and guidance for students.
Council Member Ward 2 Palumbo states that SRO program gives people a sense of security.

The motion CARRIED on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: Councilmember Ward 4 Sutton

Resolution #2019-076

Moved: Councilmember-at-Large O'Brien

Seconded: Councilmember Ward 4 Sutton

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 (8-0)

Resolution #2019-077

Moved: Councilmember Ward 4 Sutton

Seconded: Councilmember-at-Large Uebbing

A RESOLUTION OF SUPPORT, AUTHORIZATION AND PROJECT EXPENDITURES FOR THE 2019 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, there is only a single 20-inch diameter transmission main as the sole feed from the Water Treatment Plant (WTP) into the City's three (3) storage tanks, located approximately 3,000 feet from the plant and a major leak or break in this single transmission main would be detrimental to the water supply to the entire City as well as surrounding serviced communities; and

WHEREAS, the purpose of this project is to provide a redundant transmission main to avoid 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 \$705,000 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 2020 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.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Ordinances:

Ordinance #2019-005:

Councilmember Ward 4 Sutton read the following ordinance and placed it on the table.

AN ORDINANCE AMENDING CHAPTER 648-7 ENTITLED ONE-WAY ROADWAYS AND PARKING LOTS OF THE MUNICIPAL CODE

SECTION 1. Chapter 648-7 (One-Way Roadways and Parking Lots) of the Municipal Code is hereby amended as follows [new language is *in bold italics*, deleted language is stricken]:

A. The following streets are hereby designated as one-way traffic in the direction indicated:

- (1) Brook Street proceeding easterly.
- (2) Greig Terrace between North Main Street and Park Avenue proceeding westerly.
- (3) Phoenix Street between Mill Street and Main Street proceeding westerly.
- (4) City right-of-way between Bristol Street and the Antis Street parking lot proceeding southerly.

(5) Atwater Place westerly from North Main Street to the west curbline of Atwater Place (north-south portion), a distance of 262 feet.

(6) Park Place, from its beginning with Gibson Street [easterly leg] to its termination with Gibson Street [westerly leg].

(7) City Pier [westerly entrance leg] from South Main Street to its intersection with City Pier [easterly leg].

(8) Coy Street, from Main Street to a point 178 feet westerly therefrom, proceeding westerly.

(9) *Sand Street, from Telyea Street to Bristol Street*

(10) *Dailey Ave, from Main Street to West Gibson Street.*

B. The following parking lots are hereby designated as one-way traffic in the direction indicated:

(1) Niagara Street Parking Lot proceeding easterly.

SECTION 2. This ordinance shall take effect thirty (30) days from its adoption.

Local Laws:

Local Law #2019-001: *(Tabled at the August 1, 2019 Council Meeting)*

**A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY
IN EXCESS OF THE LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

Lifted from the Table: Councilmember-at-Large Terwilliger

Seconded: Council Member Ward 1 Cutri

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

Moved for adoption: Councilmember-at-Large Terwilliger

Seconded: Councilmember Ward 4 Sutton

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Local Law #2019-002:

LOCAL LAW NO. 2019-002

**A LOCAL LAW TO ESTABLISH A SUSTAINABLE ENERGY LOAN
PROGRAM (OPEN C-PACE) IN THE CITY OF CANANDAIGUA**

Be it enacted by the City of Canandaigua (the "Municipality") as follows:

Section 1: This local law shall be known as the “Energize NY Open C-PACE Financing Program” and shall read as follows:

§1. Legislative findings, intent and purpose, authority.

- A. It is the policy of both the Municipality and the State of New York (the “State”) to achieve energy efficiency and renewable energy improvements, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The Municipality finds that it can fulfill this policy by providing property assessed clean energy financing to Qualified Property Owners (as defined below) for the installation of renewable energy systems and energy efficiency measures. This local law establishes a program that will allow the Energy Improvement Corporation (as defined below, “EIC”), a local development corporation, acting on behalf of the Municipality pursuant to the municipal agreement (the “Municipal Agreement”) to be entered into between the Municipality and EIC, to make funds available to Qualified Property Owners that will be repaid through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this local law and accomplishing an important public purpose. This local law provides a method of implementing the public policies expressed by, and exercising the authority provided by, Article 5-L of the General Municipal Law (as defined below, the “Enabling Act”).
- B. The Municipality is authorized to execute, deliver and perform the Municipal Agreement and otherwise to implement this Energize NY Open C-PACE Financing Program pursuant to the Constitution and laws of New York, including particularly Article IX of the Constitution, Section 10 of the Municipal Home Rule Law, the Enabling Act and this local law.
- C. This local law, which is adopted pursuant to Section 10 of the Municipal Home Rule Law and the Enabling Act shall be known and may be cited as the “Energize NY Open C-PACE Local Law”.

§2. Definitions

- A. Capitalized terms used but not defined herein have the meanings assigned in the Enabling Act.
- B. For purposes of this local law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

Annual Installment Amount – shall have the meaning assigned in Section 8, paragraph B.

Annual Installment Lien – shall have the meaning assigned in Section 8 paragraph B.

Authority – the New York State Energy Research and Development Authority.

Benefit Assessment Lien – shall have the meaning assigned in Section 3, paragraph A.

Benefited Property – Qualified Property for which the Qualified Property Owner has entered into a Finance Agreement for a Qualified Project.

Benefited Property Owner – the owner of record of a Benefited Property.

EIC – the Energy Improvement Corporation, a local development corporation, duly organized under section 1411 of the Not-For-Profit Corporation Law of the State, authorized hereby on behalf of the Municipality to implement the Program by providing funds to Qualified Property Owners and providing for repayment of such funds from money collected by or on behalf of the Municipality as a charge to be levied on the real property.

Eligible Costs – costs incurred by the Benefited Property Owner in connection with a Qualified Project and the related Finance Agreement, including application fees, EIC’s Program administration fee, closing costs and fees, title and appraisal fees, professionals’ fees, permits, fees for design and drawings and any other related fees, expenses and costs, in each case as approved by EIC and the Financing Party under the Finance Agreement

Enabling Act – Article 5-L of the General Municipal Law of the State, or a successor law, as in effect from time to time.

Finance Agreement – the finance agreement described in Section 6A of this local law.

Financing Charges – all charges, fees and expenses related to the loan under the Finance Agreement including accrued interest, capitalized interest, prepayment premiums, and penalties as a result of a default or late payment and costs and reasonable attorneys’ fees incurred by the Financing Party as a result of a foreclosure or other legal proceeding brought against the Benefited Property to enforce any delinquent Annual Installment Liens.

Financing Parties – Third party capital providers approved by EIC to provide financing to Qualified Property Owners or other financial support to the Program which have entered into separate agreements with EIC to administer the Program in the Municipality.

Municipality – the City of Canandaigua, a municipality of the State constituting a tax district as defined in Section 1102 of the RPTL of the State.

Municipal Lien – a lien on Qualified Property which secures the obligation to pay real property taxes, municipal charges, or governmentally imposed assessments in respect of services or benefits to a Qualified Property.

Non-Municipal Lien – a lien on Qualified Property which secures any obligation other than the obligation to pay real property taxes, municipal charges, or governmentally-imposed assessments in respect of services or benefits to a Qualified Property Owner or Qualified Property.

Program – the Energize NY Open C-PACE Financing Program authorized hereby.

Qualified Project – the acquisition, construction, reconstruction or equipping of Energy Efficiency Improvements or Renewable Energy Systems or other projects authorized under the Enabling Act on a Qualified Property, together with a related Energy Audit, Renewable Energy System Feasibility Study and/or other requirements under or pursuant to the Enabling Act, with funds provided in whole or in part by Financing Parties under the Program to achieve the purposes of the Enabling Act.

Qualified Property – Any real property other than a residential building containing less than three dwelling units, which is within the boundaries of the Municipality that has been determined to be eligible to participate in the Program under the procedures for eligibility set forth under this local law and the Enabling Act and has become the site of a Qualified Project.

Qualified Property Owner – the owner of record of Qualified Property which has been determined by EIC to meet the requirements for participation in the Program as an owner, and any transferee owner of such Qualified Property.

RPTL – the Real Property Tax Law of the State, as amended from time to time.

Secured Amount – as of any date, the aggregate amount of principal loaned to the Qualified Property Owner for a Qualified Project, together with Eligible Costs and Financing Charges, as provided herein or in the Finance Agreement, as reduced pursuant to Section 8, paragraph C.

State – the State of New York.

§3. Establishment of an Energize NY Open C-PACE Financing Program

- A. An Energize NY Open C-PACE Financing Program is hereby established by the Municipality, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may arrange for the provision of funds by Financing Parties to Qualified Property Owners in accordance with the Enabling Act and the procedures set forth under this local law, to finance the acquisition, construction, reconstruction, and installation of Qualified Projects and Eligible Costs and Financing Charges approved by EIC and by the Financing Party under the Finance Agreement. EIC, on behalf of the Municipality, and with the consent of the Benefited Property Owner, will record a Benefit Assessment Lien on the Benefited Property in the Secured Amount (the “Benefit Assessment Lien”) on the land records for the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality.
- B. Before a Qualified Property Owner and a Financing Party enter into a Finance Agreement which results in a loan to finance a Qualified Project, repayment of which is secured by a Benefit Assessment Lien, a written consent from each existing mortgage holder of the Qualified Property shall be obtained, permitting the Benefit Assessment Lien and each Annual Installment Lien to take priority over all existing mortgages.

§4. Procedures for eligibility

- A. Any property owner in the Municipality may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the Municipality’s offices.
- B. Every application submitted by a property owner shall be reviewed by EIC, acting on behalf of the Municipality, which shall make a positive or negative determination on such application based upon the criteria enumerated in the Enabling Act and § 5 of this local law. EIC may also request further information from the property owner where necessary to aid in its determination.
- C. If a positive determination on an application is made by EIC, acting on behalf of the Municipality, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Program in accordance with § 6 of this local law.

§5. Application criteria

Upon the submission of an application, EIC, acting on behalf of the Municipality, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

- A. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding;
- B. The amount financed under the Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;
- C. Sufficient funds are available from Financing Parties to provide financing to the property owner;
- D. The property owner is current in payments on any existing mortgage on the Qualified Property;
- E. The property owner is current in payments on any real property taxes on the Qualified Property; and
- F. Such additional criteria, not inconsistent with the criteria set forth above, as the State, the Municipality, or EIC acting on its behalf, or other Financing Parties may set from time to time.

§6. Energize NY Finance Agreement

- A. A Qualified Property Owner may participate in the Program through the execution of a finance agreement made by and between the Qualified Property Owner and a Financing Party, to which EIC, on behalf of the Municipality, shall be a third-party beneficiary (the “Finance Agreement”). Upon execution and delivery of the Finance Agreement, the property that is the subject of the Finance Agreement shall be deemed a “Benefited Property”).
- B. Upon execution and delivery of the Finance Agreement, the Benefited Property Owner shall be eligible to receive funds from the Financing Party for the acquisition, construction, and installation of a Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, provided the requirements of the Enabling Act, the Municipal Agreement and this local law have been met.
- C. The Finance Agreement shall include the terms and conditions of repayment of the Secured Amount and the Annual Installment Amounts.
- D. EIC may charge fees to offset the costs of administering the Program and such fees, if not paid by the Financing Party, shall be added to the Secured Amount.

§7. Terms and conditions of repayment

The Finance Agreement shall set forth the terms and conditions of repayment in accordance with the following:

- A. The principal amount of the funds loaned to the Benefited Property Owner for the Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, shall be specially assessed against the Benefited Property and will be evidenced by a Benefit Assessment Lien recorded against the Benefited Property on the land records on which liens are recorded for properties within the Municipality. The special benefit assessment shall constitute a “charge” within the meaning of the Enabling Act and shall be collected in annual installments in the amounts certified by the Financing Party in a schedule provided at closing and made part of the Benefit Assessment Lien. Said amount shall be annually levied, billed and collected by EIC, on behalf of the Municipality, and shall be paid to the Financing Party as provided in the Finance Agreement.
- B. The term of such repayment shall be determined at the time the Finance Agreement is executed by the Benefited Property Owner and the Financing Party, not to exceed the weighted average of the useful life of the systems and improvements as determined by EIC, acting on behalf of the Municipality.
- C. The rate of interest for the Secured Amount shall be fixed by the Financing Party in conjunction with EIC, acting on behalf of the Municipality, as provided in the Finance Agreement.

§8. Levy of Annual Installment Amount and Creation of Annual Installment Lien

- A. Upon the making of the loan pursuant to the Finance Agreement, the Secured Amount shall become a special Benefit Assessment Lien on the Benefited Property in favor of the Municipality. The amount of the Benefit Assessment Lien shall be the Secured Amount. Evidence of the Benefit Assessment Lien shall be recorded by EIC, on behalf of the Municipality, in the land records for properties in the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. The Benefit Assessment Lien shall not be foreclosed upon by or otherwise enforced by the Municipality.
- B. The Finance Agreement shall provide for the repayment of the Secured Amount in installments made at least annually, as provided in a schedule attached to the Benefit Assessment Lien (the "Annual Installment Amount"). The Annual Installment Amount shall be levied by EIC, on behalf of the Municipality, on the Benefited Property in the same manner as levies for municipal charges, shall become a lien on the Benefited Property as of the first day of January of the fiscal year for which levied (the "Annual Installment Lien") and shall remain a lien until paid. The creation or any recording of the Annual Installment Lien shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. Payment to the Financing Party shall be considered payment for this purpose. Such payment shall partly or wholly discharge the Annual Installment Lien. Delinquent Annual Installment Amounts may accrue Financing Charges as may be provided in the Finance Agreement. Any additional Financing Charges imposed by the Financing Party pursuant to the Finance Agreement shall increase the Annual Installment Amount and the Annual Installment Lien for the year in which such overdue payments were first due.
- C. The Benefit Assessment Lien shall be reduced annually by the amount of each Annual Installment Lien when each Annual Installment Lien becomes a lien. Each Annual Installment Lien shall be subordinate to all Municipal Liens, whether created by Section 902 of the RPTL or by any other State or local law. No portion of a Secured Amount shall be recovered by the Municipality, EIC, or an assignee upon foreclosure, sale or other disposition of the Benefited Property unless and until all Municipal Liens are fully discharged. Each Annual Installment Lien, however, shall have priority over all Non-Municipal Liens, irrespective of when created, except as otherwise required by law.
- D. Neither the Benefit Assessment Lien nor any Annual Installment Lien shall be extinguished or accelerated in the event of a default or bankruptcy of the Benefited Property Owner. Each Annual Installment Amount shall be considered a charge upon the Benefited Property and shall be collected by EIC, on behalf of the Municipality, at the same time and in the same manner as real property taxes or municipal charges. Each Annual Installment Lien shall remain a lien until paid. Amounts collected in respect of an Annual Installment Lien shall be remitted to EIC, on behalf of the Municipality, or the Financing Party, as may be provided in the Finance Agreement.
- E. EIC shall act as the Municipality's agent in collection of the Annual Installment Amounts. If any Benefited Property Owner fails to pay an Annual Installment Amount, the Financing Party may redeem the Benefited Property by paying the amount of all unpaid Municipal Liens thereon, and thereafter shall have the right to collect any amounts in respect of an Annual Installment Lien by foreclosure or any other remedy available at law. Any foreclosure shall not affect any subsequent Annual Installment Liens.

- F. EIC, on behalf of the Municipality, may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens to Financing Parties that provide financing to Qualified Properties pursuant to Finance Agreements. The Financing Parties may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens received from EIC, on behalf of the Municipality, subject to certain conditions provided in the administration agreement between EIC and the Financing Party. The assignee or assignees of such Benefit Assessment Liens and Annual Installment Liens shall have and possess the same powers and rights at law or in equity as the Municipality would have had if the Benefit Assessment Lien and the Annual Installment Liens had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection.

§9. Verification and report

EIC, on behalf of the Municipality, shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Program in such form and manner as the Authority may establish.

§10. Separability. If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

Section 2: This local law shall take effect upon filing with the Secretary of State.

Manager's Report: City Manager John D. Goodwin reported the following:

- Our oil and stone program has been delayed due to the weather
- The first day of school saw increased enforcement of obeying stop signs on busses
- Thanked Denise Chaapel, Downtown Manager for the BID, for organizing “Canandaigua Day” at Red Wings Stadium.
- The dog beach is closed as a precaution due to algae bloom.
- The Triathlon is this weekend.
- We are testing for blue green algae in both raw and finished water.
- Sonnenberg bathrooms will be open for pickleball.
- There are three positions open on the Board of Assessment Review but have not received any applications. Please spread the word and let us know if you are interested in serving on this board.
- Next week is the 9-11 commemoration ceremony.

Miscellaneous:

- Reviewed Economic Development in the City

Adjournment

Councilmember-at-Large Whitcomb moved to adjourn the regular session at 8:39 PM. Councilmember Ward 4 Sutton seconded the motion.

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

Nancy C. Abdallah, Clerk Treasurer
City of Canandaigua

APPENDIX A
PLANNING/DEVELOPMENT COMMITTEE
Tuesday, August 6, 2019
7:00 PM
Council Chambers- The Hurley Building

Committee: Robert O'Brien-Chair, Bob Palumbo, Renée Sutton, Steve Uebbing

Other Councilmembers: Mayor Polimeni, Karen White, Jim Terwilliger, Dave Whitcomb

Staff: John D. Goodwin, Rob Richardson, Terence Robinson, Jim Sprague

1. Pickle Ball Request

On July 24th, the Canandaigua Pickleball Group joined the City for the ribbon-cutting on eight (8) dedicated Pickleball courts at Sonnenberg Park. The Canandaigua Pickleball Group would like to recognize the contributions made by Dick Budynas, who was instrumental in the design and completion of the Pickleball courts and unfortunately passed a week before they were completed. To commemorate Dick's contributions, they would like post a small sign or plaque (see attachment for potential layout) to be placed at the new court at the opening of a memorial tournament. The group would also like to donate some amenities to the courts such as adding signage to number the courts and an equipment box containing racquets and balls. Kathy Wegman, spokesperson for the Canandaigua Pickleball Group, will be at the meeting to discuss the request.

Kathy Wegman and Jack Ferra were at the meeting, with other members of the pickleball group, to discuss this request. They thanked Council for the courts and said others have been extremely impressed. All these requests will be funded by pickleball, and they are not requesting any money from the City. They would also like to prepare the courts so they can hold tournaments, along with providing equipment and dedicating the courts to Dick Budynas. They would like to do something to recognize his contributions, and his drawings were actually used during the bidding process. Steve mentioned he and his wife have purchased racquets and utilized the courts. He overheard people praising the courts. He thinks it's a great feature for our community and thanked them for being willing to supply these additional amenities. Renée asked if we have boxes in other parks for specific purposes, and John said we would like to get a box that is available to the general public. She also asked if the box would be secured- Kathy said they haven't started looking yet. Karen asked how they would access it, and Kathy said she envisioned a combination lock of some kind. John added there are a lot of options that would accomplish this. Steve wanted the group to be aware that once these boxes/equipment are purchased they are City property, and we need to have input as to what goes in. The Mayor said people have complained about bathroom access, and John said we would like to make that investment but we can't leave the entire building open. There has been vandalism in parks. Terence urged caution, and likened this to the docks. It would need to be for full public access, not semi-private. John pointed out the only thing City Council needs to approve is the sign for Dick.

Bob moved to approve the plaque, Renée seconded.

4 in favor, 0 opposed. Motion carries to Full City Council.

2. PACE Financing

Energize NY Open C-PACE (Property Assessed Clean Energy) channels private capital to commercial and non-profit building owners to make energy upgrades to their buildings, enabling them to improve their

properties, lower operating expenses and positively impact their communities. Unlike a bank loan, C-PACE financing is a public benefit authorized by state and local law, with repayment secured through a benefit assessment lien on the improved property. The program is administered through the Energy Improvement Corporation (EIC), a non-profit, statewide local development corporation. To join the program, the City would need to adopt a local law to enable C-PACE. EIC administers the program (records the lien on the land record, bills the property owner directly and administers collection of the payment). The capital provider enforces the PACE lien only after paying any delinquent municipal taxes owed by the property owner to the municipality. Enacting C-PACE financing will also complete another action item in Clean Energy Community Program and points towards the Climate Smart Communities Silver Certification. In order to participate, municipalities must pass a local law and sign an EIC municipal agreement to offer Energize NY Open C-PACE. Haylee Ferington, the Clean Energy Communities Coordinator for the Genesee/Finger Lakes Regional Planning Council will be at the meeting to discuss the program and answer questions for City Council.

Haylee Ferington was at the meeting to discuss the program. C-PACE Financing is enabled by the State and is run through Energize New York. The City would pass the law, and then EIC would take over from there. This allows buildings with 5 unit or more to make green energy improvements- which improves building stock, creates jobs, and improves quality of life. The Mayor asked where the funding comes from, and Haylee said the municipalities. There were several questions about process, but everyone seemed to agree they couldn't find the downside.

Steve moved to approve the proposal, Bob seconded.

Dave added this is another tool for people to make improvements and can't find a downside.

4 in favor, 0 opposed. Motion carries to Full City Council.

3. West Avenue Crosswalk

Recently, a resident requested a crosswalk be installed on West Avenue near the RTS Hub to ensure the safety of residents crossing the street to access that service. Crosswalks, if not properly placed or designed, however, can make a crossing more dangerous for pedestrians and motorists alike. City Staff recommends that, if a crosswalk is desired, it should be installed with other measures designed to reduce traffic speeds, shorten crossing distances, enhance driver awareness, or provide an active warning of pedestrian presence. This item was added to the agenda for further discussion.

John provided a brief synopsis of the item and what he believed would be the best way to do this. He sees this as potentially part of a larger reconstruction project 3-4 years down the road. Robert asked if the stop will remain there, or if we make these changes can they move it. John said he would have to find out. John also added when looking at pedestrian improvements there needs to be something being fixed, and the data shows no real significant danger. The Mayor added there is an agreement with the property owner, but she wants to know how this differs from the cross walk by pudgies for example. John said that is a dangerous one, and there are others as well. If we are going to make changes it should be done with best practices in mind. Steve agrees with John, and said he has had close calls with pedestrians not paying attention or in poorly lit areas. They can provide a false sense of security. Renée agrees with both John and Steve- this is a solution in search of a problem. There was no interest in moving this forward so we moved on.

4. One Way Streets- Sand Street and Dailey Avenue

Part of this year's Street Reconstruction Project includes Sand Street. Considering current street design guidelines, safety standards, and the limited right-of-way, Sand Street was designed to be a one-way street. The flow of traffic will enter Sand Street from Telyea Street and travel south to Bristol Street. The City

also plans to make improvements (repave and install drainage) to Dailey Avenue. Dailey Avenue also has a limited right-of-way and should also be a one-way street. The flow of traffic will enter Dailey Avenue from Main Street and travel west to West Gibson Street. City Council must approve these changes. Jim Sprague has been invited to the meeting to discuss the request and answer questions for Council.

John provided a brief synopsis of the agenda item. These changes are being made to bring these streets up to current safety and design codes, as they don't meet the present requirements to be a two-way street. Robert asked if residents know this is going to happen, and John said yes. There was a public meeting in January. We would need to send a notice to residents because of the ordinance change. The Dailey residents would need to be appropriately noticed. Jim said we need to expand the scope of who gets notified, because it will impact people on Telyea. The Mayor added the last time the City tried to make this change they didn't properly notice residents and there was backlash. John added that even if they are against it, we need to make the change for safety reasons. Renée asked what the rationale for the direction on Dailey was, and John said they can go both ways and there is a traffic light. She agrees these need to be addressed. Dave added while the opinion of Council and the City is important, we really should follow the recommendations of engineers and safety experts.

Renée moved to bring this to Council for consideration & follow the process, Bob seconded.

4 in favor, 0 opposed. Motion carries to Full City Council.

Karen wanted to bring the letter for Carbon Pricing Legislation to the group. Everyone was given a letter to sign for John and Rob to send out if they so choose.

John asked if we are keeping plastic straws on the agenda for the Ordinance Committee. The group decided to bring it back to the Committee in September for further discussion.

John also asked about the vaping ordinance, and the group still wanted to limit the number of stores on Main St. Dave doesn't think we need to do anything because business owners see the writing on the wall. Robert said we can write another letter. Bob said we need to respect the businesses that are here need to be grandfathered. This has traction and will be brought back to the Ordinance Committee.

Bob motioned to adjourn, Renée seconded.

Meeting adjourned at 8:34 p.m.

APPENDIX B
FINANCE/BUDGET COMMITTEE
Thursday, August 27, 2019
7:00 p.m.
Council Chambers- The Hurley Building

Committee: James Terwilliger, Chairman, Robert O'Brien, Steve Uebbing, Nick Cutri (Absent)

Other Councilmembers: Mayor Polimeni, Karen White, Renée Sutton, Bob Palumbo

Staff: John D. Goodwin, Rob Richardson, Nancy Abdallah, Jim Sprague

1. Six (6) Month Financial Review

Clerk/Treasurer Nancy Abdallah will review the 6-month financials with the Committee at the meeting. The spreadsheet will be distributed at the meeting.

John and Nancy provided an overview of the City's financials for the first six months of 2019. At this point, we have gone through our contingency. We're slightly above expectations on revenues and we're slightly below on expenditures. These numbers are attributed to when things hit the books and when we total actual expenditures. Nancy says these numbers are on target with where we have been. At this point, we're pretty much on track and nothing is keeping her up at night. She added something to the spreadsheet to look at overtime expenditures. We do have an issue with overtime from snowplowing and we will need to make internal adjustments to cover the costs. Steve is concerned our current fund balances don't include the accruals on things like retirement, which are real costs. Council appreciates the reports Nancy provides and would like her to continue to produce them. Jim asked if we can have access to the ¾ year data by early November for budget season. Nancy said those numbers are reflected in the recommended budget.

2. CDBG Admin Proposals

The City of Canandaigua recently been awarded CDBG economic development grant funds to assist in the development of a restaurant and bar located at 170 S. Main Street. This grant totals \$100,000 with \$16,000 for program delivery and grant administration. The City solicited proposals via an RFP for firms to perform program delivery and grant administration and received two proposals. City staff reviewed the proposals and recommends the H. Sicherman / the Harrison Studio due to their extensive experience with the CDBG program and an intimate knowledge of the project at hand.

John provided a brief synopsis of the agenda item. John recommends we use Harry Sicherman because the firm has extensive experience.

Karen asked if we have received any new grant requests but John said no. Renée asked if the \$16,000 is a hard and fast number, and John said yes- the contract will not exceed \$16,000.

Robert moved to approve the request, Steve seconded.

3 in favor, 0 opposed.

Motion carries to Full City Council.

3. Surplus Impound Vehicles

There are several vehicles that have been impounded by the Police Department and never reclaimed by the owner (see attached list). In order to dispose of these vehicles, the City Council must first declare the vehicles surplus.

John said traditionally we have used the revenue back to the reserve or to cover a police expense- for example, we could use this to cover live scan. Renée asked for more information on how these were obtained, and John said he will try to put something together. Council also wants to know about the contents of impounded vehicles. The Mayor asked where we store them, and John said the impound lot behind the central shop.

Steve moved to accept the proposal, Robert seconded.

3 in favor, 0 opposed.

Motion carries to Full City Council.

4. Surplus Leaf Machine

The City provides fall leaf collection for residents and has utilized various leaf collection machines (truck mounted and trailer mounted) to perform this service. DPW has found the truck mounted machine to be more user friendly and more efficient. As such, it is planned to remove the trailer mounted machine from our fleet. Recently, the Town of Webster has expressed interest in purchasing the trailer mounted machine to be used for spare parts for their machines. The City had the machine appraised to determine the full market value to prepare for a potential sale to the Town of Webster for a total value of \$17,000. City staff recommends declaring the trailer mounted leaf machine surplus and disposing of the machine via a sale to the Town of Webster. Jim Sprague will be at the meeting to discuss this request and answer questions for Council.

Jim provided a brief synopsis of the agenda item. They haven't used it much and because of the short haul distance this piece of equipment isn't efficient. Jim asked if we still have the necessary capacity to handle the City's needs, and Jim said yes- but in the next few years he would be looking to purchase a self-contained unit. Renée asked how much it cost initially, and John stated it was less than \$23,000.

Steve moved to accept the proposal, Robert seconded.

3 in favor, 0 opposed.

Motion carries to Full City Council.

5. Kershaw Park Reserve Appropriation - Irrigation & Break Wall at Kershaw

The irrigation control system at Kershaw Park malfunctioned this season and it was found to be in need of replacement at an estimated cost of \$6,000. Further, the break walls at the Kershaw beach have started to deteriorate and need to be addressed to protect the beach area and prevent the sand of the beach from being washed away into the Lake. City Staff recommends retaining an engineering firm to design a new break wall for the beach area at an estimated cost of \$10,000. For both of these projects, City Staff is requesting an appropriation of \$16,000 from the Kershaw Park Reserve Fund.

John provided a brief synopsis of the agenda item. There is no quote and this is a plug-in number, but we need money to put out an RFP against. Steve asked how much is in the fund, and John said over \$50,000. Steve asked if it is replenished annually, and John explained there are a variety of sources that contribute but the numbers aren't consistent.

Robert moved to approve the request, Steve seconded.

3 in favor, 0 opposed.

Motion carries to Full City Council.

6. SRO Agreement

The School Resource Officer (SRO) Program is designed to develop strong, supportive relationships between students, faculty and law enforcement in order to deter criminal behavior and maintain a safe learning environment. This program has been in Canandaigua schools for some time now, and with the current agreement due to expire the district would like it to continue. The agreement for the 2019-2020 school year would include one full-time SRO and one part-time SRO with the district reimbursing the City 100% of the cost for the part-time SRO and 50% of the cost for the full-time SRO. Chief Hedworth will be at the meeting to discuss this proposal and answer questions for Council.

John provided a synopsis of the agenda item. This is essentially the contract for the 2019-2020 school year. The Mayor asked about the scheduling, and John said there is some float but their main presence is in the middle and high school. Karen asked if this costs the City more money, and John said we took 2 part-timers, made one a full-time, so this represents an increase in a half of a position. Robert asked if the officers report to the Chief, and John said yes but the district is involved in decisions related to the program.

Steve stated he believes in the program and they do great work, but it has to be the right person. Renée cited study stating that more officers in schools don't equal safer schools. She thinks we can put this money to better use. She's heard from the Chief before and the story about the young man who aborted a potential plan, but she doesn't think this a good use of money. Karen is also against this and thinks armed officers desensitizes students.

Robert moved to approve the proposal, Steve seconded.

3 in favor, 0 opposed.

Motion carries to Full City Council.

7. NYS Water Infrastructure Improvement Act (WIIA) Grant Application

City Staff is pursuing grant funding via the WIIA program to install a redundant transmission main at the Water Treatment Plant. Currently, a single 20-inch diameter transmission main is the sole feed from the Water Treatment Plant into the City's three (3) storage tanks, located approximately ½ half mile from the plant. A major leak or break in this single transmission main would significantly impact the water supply to the entire City and surrounding communities. The purpose of this project would be to provide a redundant transmission main to avoid a potentially catastrophic loss of the single supply. An alternative plan to back feed the tanks via one of the two transmissions mains from the tanks and into the distribution system was included in the 2019 Water Fund Capital Budget was not approved by the Department of Health, necessitating a larger project. The estimated cost of the project is \$705,000 with the grant covering 60% (\$423,000) and a 40% local match (\$282,000). In order to apply for the grant, City Council must authorize the application via a resolution and complete the SEQR for the project.

John provided a brief synopsis of the agenda item. There is no redundant line, and if there was a failure we could be putting the water supply in jeopardy for 70,000 people. The DOH scrapped a previous plan to use an existing line, and Staff would like to pursue a grant to cover 60% of the cost. The remaining funds would likely come out of the water capital. If we lost the water line, we'd likely run out of water in less than 2 days. Renée asked if this is similar to the culvert grant, and John said this is a different program. That application

is due in early 2020. Robert asked if 1.5 day water supply adequate or if we should have a bigger tank. John showed our tank layout, and the DOH is satisfied with the current set up and the fact we only have one line.

The meeting for September 3rd has been cancelled.

Robert moved to approve the proposal, Steve seconded.

3 in favor, 0 opposed.

Motion carries to Full City Council.

Steve motioned to adjourn, Robert seconded.

Meeting adjourned at 8:13 p.m.