

MINUTES OF THE CANANDAIGUA CITY  
COUNCIL MEETING  
THURSDAY, JANUARY 5, 2017 7:00 P.M.  
City Council Chambers  
City Website: canandaiguanewyork.gov

Mayor Polimeni called the meeting to order at 7:00 PM

**Pledge of Allegiance:**

**Roll Call:**

**Members Present:** Councilmember Ward 1 Nick Cutri  
Councilmember Ward 2 Anita Twitchell  
Councilmember Ward 3 Karen White  
Councilmember-at-Large Matt Martin  
Councilmember-at-Large Robert O'Brien  
Councilmember-at-Large James Terwilliger  
Councilmember-at-Large David Whitcomb  
Mayor Ellen Polimeni

**Members Absent:** Councilmember Ward 4 Cindy Wade (Due to a family commitment)

**Also Present:** City Manager Ted Andrzejewski  
Corporation Counsel Michele O. Smith  
City Clerk-Treasurer Nancy C. Abdallah  
Assistant City Manager John Goodwin

Mayor Polimeni asked for a Moment of Silence for Mike Shipley who passed away on December 31<sup>st</sup>. Mr. Shipley served the City of Canandaigua as a City Supervisor, member and chair of the Planning Commission and a member of the City Council.

**Review of Community Core Values:** Councilmember-at-Large Martin read the Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

**Approval of Minutes:**

Councilmember-at-Large Terwilliger moved for the approval of the Council Minutes of December 1, 2016. Councilmember Ward 1 Cutri seconded the motion.

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

**Recognition of Guests: None**

**Committee Reports:**

**Planning/Development Committee:** Met on January 3<sup>rd</sup> and discussed the following:

***SEE COMMITTEE NOTES - APPENDIX A***

- 4th Quarter Economic Development Report – Chamber of Commerce
- Renewal of Home Energy and Improvement Program – PathStone Corporation
- Renewal of Homeownership and Home Preservation Program – Habitat for Humanity
- Leasing City Property – Billboards
- Market Study – Economic Development at Tom’s Mobil

**Establishing Time for Regularly Scheduled 2017 Meetings:**

Councilmember Ward 1 Cutri moved to adopt the 2017 City Council and Committee Meeting Schedule. Councilmember-at-Large Martin seconded the motion.

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

***SEE CITY COUNCIL AND COMMITTEE MEETING SCHEDULE- APPENDIX B***

Mayor Polimeni mentioned that there will be a NYS Constitutional Convention informational meeting at Wood Library on January 11<sup>th</sup> at 7:00PM. This is the first of many meetings to discuss and inform residents of NYS on the upcoming vote on the NYS Constitution this November.

**Resolutions:**

**Resolution #2017-001:**

Moved: Councilmember Ward 2 Twitchell

Seconded: Councilmember Ward 1 Cutri

**A RESOLUTION AWARDDING A CONSTRUCTION CONTRACT FOR THE REMOVAL, REPAIR AND REINSTALLATION OF TWO VERTICAL TURBINE PUMPS**

**WHEREAS**, the City of Canandaigua, as a part of its on-going maintenance of the water treatment plant, wishes to have two vertical turbine pumps refurbished; and

**WHEREAS**, the City publicly advertised for bids and directly contacted six qualified contractors for the removal, repair and reinstallation of the two pumps to be refurbished; and

**WHEREAS**, bids for the required work were received on November 29, 2016, with one contractor submitting a bid; and

**WHEREAS**, the bid from Estabrook Corporation, 1 Keuka Business Park, Penn Yan, New York 14527, in the amount of \$51,439, has been judged to be the lowest responsive bid; and

**WHEREAS**, funding in the amount of \$49,250 for this construction was appropriated in the adopted City of Canandaigua 2017 budget as a part of the water fund capital budget; and

**WHEREAS**, the adopted City of Canandaigua 2017 budget water fund capital budget also includes \$620,000 for the installation of an alternative chlorine system, which is now projected to cost sufficiently less than this amount and it is recommended that the \$2,189 needed to fully fund the pump refurbishment work be transferred; and

**WHEREAS**, the City Manager and the Director of Public Works recommend a contract be awarded to Estabrook Corporation to complete the necessary refurbishments;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council hereby authorizes the transfer of \$2,189 from the alternative chlorine system project to the pump refurbishment project; and authorizes the City Manager to execute a contract with Estabrook Corporation, 1 Keuka Business Park, Penn Yan, New York 14527, to complete the necessary pump refurbishments for a fee not-to-exceed \$51,439.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

*NOES: None.*

**Resolution #2017-002:**

Moved: Councilmember-at-Large O'Brien

Seconded: Councilmember-at-Large Whitcomb

**A RESOLUTION APPROPRIATING FUNDS RELATED TO NON-UNION WAGE INCREASES**

**WHEREAS**, the economic and financial circumstances have created and continue to present a great burden to find ways to finance our local government with very little, if any, assistance from the State and Federal governments, resulting in a great challenge for the City Council in managing the one revenue source, property tax, that is within its control without creating hardship; and

**WHEREAS**, to be sensitive to the residents the Adopted City Budgets over the last several years have reduced many expenditures and are extremely lean with the adopted 2017 Budget intended to reflect the current financial situation, recognize the fine work of employees and yet be prudent by recognizing the financial burdens that must be shared; and

**WHEREAS**, the 2017 Adopted City Budget includes a 1% raise for department heads and non-union employees; however funds were budgeted in the contingency for an additional 1% pending negotiations; and

**WHEREAS**, negotiations are in progress with the Canandaigua Department of Public Works and Parks and Recreation Association, Canandaigua Police Benevolent Association (PBA), and Canandaigua Fire Fighters Association; which strives to be within the budgetary parameters established by the City Council for the 2017 Adopted Budget; and

**WHEREAS**, an agreement has been completed for a successor collective bargaining agreement with the Canandaigua Police Department Gold Badge Club, which contained salary increases of 2% for 2017;

**NOW, THEREFORE, BE IT RESOLVED** that while respecting the collective bargaining process and the Taylor Law of the State of New York, the City Council of the City of Canandaigua, respectfully, expresses its desire that the Canandaigua Department of Public Works and Parks and Recreation Association, Canandaigua Police Benevolent Association (PBA), and Canandaigua Fire Fighters Association recognize the City Council's endeavor to be sincere and reasonable wage settlements

and the parameters set for in the 2017 Adopted Budget and as a further example and demonstration of its sincerity, herein appropriates \$48,932 from Contingency for an overall total of 2% salary increases for department heads and non-union employees effective January 1, 2017, and as may be determined by the City Manager.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

*NOES: None.*

**Resolution #2017-003:**

Moved: Councilmember Ward 2 Twitchell

Seconded: Councilmember Ward 1 Cutri

**A RESOLUTION AUTHORIZING THE CITY OF CANANDAIGUA TO ENTER INTO A RENEWAL AGREEMENT WITH HABITAT FOR HUMANITY OF ONTARIO COUNTY, NY**

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

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

**WHEREAS**, Habitat has successfully recruited volunteers to improve homes throughout the City which has not only improved the safety and physical appearance of the homes and neighborhoods, but has also strengthened the homeowners' sense of pride and investment in the community; and

**WHEREAS**, the City is desirous of entering into a renewal agreement with Habitat; and

**WHEREAS**, the City is in receipt of funds received in the form of loan repayments from past U.S. Dept. of Housing and Urban Development Community Development Block Grants (HUD CDBG), known as "Program Income" which in accordance with HUD must be repurposed for activities that advance HUD's National Objectives; and

**WHEREAS**, the City cost of this proposal is \$10,000 which will be funded from program income in the City's HUD CDBG Revolving Loan Fund and be utilized for materials and supplies;

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

**BE IT FURTHER RESOLVED** that this project will be funded from a not-to-exceed \$10,000 allocation from the City's HUD CDBG Revolving Loan Fund.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.*  
*NOES: None.*

**Resolution #2017-004:**

Moved: Councilmember-at-Large O'Brien  
Seconded: Councilmember-at-Large Martin

**A RESOLUTION AUTHORIZING THE CITY OF CANANDAIGUA TO ENTER INTO AN AGREEMENT WITH PATHSTONE CORPORATION**

**WHEREAS**, in March 2014, City of Canandaigua and Pathstone Corporation (Pathstone) partnered to provide assistance to low to moderate income homeowners in making repairs to their homes and energy efficiency improvements, known as the Home Energy and Improvement Program; and

**WHEREAS**, Pathstone has submitted a proposal to renew this program with said proposal including the rehabilitation of at least ten homes within the City of Canandaigua; and

**WHEREAS**, the City is desirous of entering into said partnership with Pathstone; and

**WHEREAS**, Pathstone possesses the experience, skill and capacity required to deliver essential services to income-eligible homeowners to receive assistance from the City of Canandaigua under the Home Energy and Improvement Program; and

**WHEREAS**, the City is in receipt of funds received in the form of loan repayments from past U.S. Dept. of Housing and Urban Development Community Development Block Grants (HUD CDBG), known as "Program Income" which in accordance with HUD must be repurposed for activities that advance HUD's National Objectives; and

**WHEREAS**, the City cost of this proposal is \$59,000 which will be funded from program income in the City's HUD CDBG Revolving Loan Fund; and

**WHEREAS**, additional funds will be provided by other grants awarded to Pathstone including grants from the New York State Energy Research and Development Authority; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Canandaigua hereby authorizes the City Manager to execute an agreement with Pathstone for purposes of initiating a Home Energy and Improvement Program; and

**BE IT FURTHER RESOLVED** that this project will be funded from a not-to-exceed \$59,000 allocation from the City's HUD CDBG Revolving Loan Fund.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.*  
*NOES: None.*

**Resolution #2017-005:**

Moved: Councilmember Ward 1 Cutri  
Seconded: Councilmember Ward 2 Twitchell

**A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES  
FOR A MARKET STUDY**

**WHEREAS**, the property at 267 South Main Street in the City of Canandaigua, commonly known as Tom’s Mobil, is a blighted property requiring environmental remediation if it is to be redeveloped; and

**WHEREAS**, the City of Canandaigua has unsuccessfully applied for grant funding through the New York State Office of Community Renewal (NYSOCR), New York Main Street Grant; and

**WHEREAS**, although the City’s submitted a strong application, the likely reason that the grant was unsuccessful is the lack of a known end use of the property; and

**WHEREAS**, City staff recommended and the Planning/Development Committee approved, at its January 3, 2017 meeting, that a market feasibility study be conducted to provide data to support particular development for the site and allow staff the ability to approach developers with the known potential for the site; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Canandaigua that the City Manager is authorized to execute a professional services contract to conduct a market feasibility study for 267 South Main Street, after receiving proposals for such services, not to exceed \$5,000; and

**BE IT FURTHER RESOLVED** that City Council hereby appropriates \$5,000 from the Contingency budget for the aforementioned market feasibility study and hereby authorizes that said funds be transferred to the appropriate budget account, as determined by the City Clerk/Treasurer.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Martin, Councilmember-at-Large O’Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

*NOES: None.*

**Ordinances:** None

**Local Laws:** None

**Manager's Report:** City Manager Ted Andrzejewski reported the following:

- Finalized a one year contract with the Town of Canandaigua for fire services.
- Encouraged residents to check out the Pathstone and Habitat for Humanity grant programs offered to low to moderate income residents. These grants are available to make energy and other improvements to their homes.

**Appointments:**

Councilmember-at-Large Terwilliger moved the following appointment:

- Reappoint Peter Taft to a **Second (2<sup>nd</sup>) Term** to the Board of Assessment Review

Councilmember-at-Large Whitcomb seconded the motion.

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

Councilmember-at-Large Terwilliger moved the following appointments:

- Reappoint Stephen Cole to the BID Board as the Mayoral appointment
- Reappoint Lou Loy to the BID Board as the City Council appointment
- Reappoint Rick Brown to the BID Board as the City Manager appointment

Councilmember-at-Large Whitcomb seconded the motion.

*The motion CARRIED UNANIMOUSLY on the following vote:*

*AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

*NOES: None.*

**Miscellaneous:** None

**Adjournment**

Councilmember-at-Large O'Brien moved to adjourn the regular session at 7:45 PM. Councilmember-at-Large Martin seconded the motion.

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

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Nancy C. Abdallah, Clerk Treasurer  
City of Canandaigua

**APPENDIX A**  
**PLANNING/DEVELOPMENT**  
**Tuesday, January 3, 2017**  
**7:00 p.m.**  
**Hurley Building Conference Room**

**Committee:** Cindy Wade, Chair; Jim Terwilliger; Anita Twitchell Absent-Robert O'Brien

**Other Council Members:** Ellen Polimeni; Matt Martin; David Whitcomb; Nick Cutri; Karen White

**Staff:** Ted Andrzejewski, John Goodwin, Michele Smith

**1. 4th Quarter Economic Development Report – Chamber of Commerce**

Randy Farnsworth and Thomas Lyon presented the quarterly report covering October-December 2016 summarizing efforts, activities and results. This is their final economic development report.

**No action – informational.**

**2. Renewal of Home Energy and Improvement Program – PathStone Corporation**

In March 2014, the City and PathStone partnered to provide assistance to low to moderate income homeowners in making repairs to their homes and energy efficiency improvements. Scott Oliver from PathStone made a short presentation detailing the benefits of the program to the community and their proposal to continue their work. Funding for this program has previously been appropriated and recommended from existing CDBG funds (\$59,000).

**Motion to approve contract made by Anita Twitchell, 2<sup>nd</sup> by Jim Terwilliger. Vote 4-0**

**RESOLUTION for 1/5/17**

**3. Renewal of Homeownership and Home Preservation Program – Habitat for Humanity**

Habitat for Humanity (Habitat) and the City has partnered over the last several years to assist homeowners with exterior home repairs and improvements. In 2016, the City and Habitat expanded this relationship to include the demolition of condemned homes (71 Saltonstall Street and 33 Foster Street). A new home is currently under construction at 33 Foster Street and two more new homes are planned fronting Foster Street from the 71 Saltonstall Street location. Nash Bock from Habitat made a short presentation detailing the benefits of the program to the community and their proposal to continue their work. Funding for this program was appropriated and recommended to be appropriated from existing CDBG funds (\$10,000)

**Motion to approve contract made by Jim Terwilliger, 2<sup>nd</sup> by Anita Twitchell. Vote 4-0**

**RESOLUTION for 1/5/17**

**4. Leasing City Property – Billboards**

§850-57 of the City Zoning Code prohibits the installation of billboards; however, Lamar Advertising Company has recently approached the City to lease a portion of Lagoon Park for the installation of two digital billboards to face Eastern Blvd (5&20). Attached is a map of the area. The lease would provide additional revenue to the City (to be determined amount, but estimated to be approximately \$16,000 annually). The City Manager is recommending the lease and utilizing the funds towards economic development. Representatives from Lamar have been invited to discuss their proposal and answer questions.

**General questions and answers from council members. Issue raised about how the zoning ordinance will be changed. Would like recommendation from Rick Brown. Michele Smith also requested executive session to discuss legal opinion.**

**APPENDIX A (CONTINUED)**  
**PLANNING/DEVELOPMENT COMMITTEE**

**5. Market Study – Economic Development at Tom’s Mobil**

By way of background, located at a gateway to Historic Downtown Canandaigua (267 South Main Street) is an abandoned and blighted former automotive repair facility and gasoline station (Tom’s Mobil). Property taxes are delinquent (since 2012) and all redemption periods have expired. However, due to the known environmental liability and the associated costs, the City has not foreclosed on the property. It should be noted that the banks holding the mortgages for this property have also declined to foreclose due to the environmental liability. In early 2015, the City released an RFP seeking a developer to partner with the City. There were several developers interested; however, the City only received one response with said developer ultimately withdrawing the proposal. Subsequently, the City submitted a New York Main Street Grant application to the New York State Office of Community Renewal (NYSOCR) through the New York State Consolidated Funding Application in 2015 and 2016. The grant application was for funding to remediate the unsightly former gas station at 267 Main Street and convert it into a shovel ready site. The total project budget was \$350,000 which included \$88,000 in local match (City funding) and \$262,000 requested from the New York Main Street program. Although the project was listed on the priority list for the region, the grant was not funded by the State. The likely reason is the lack of a known end use of the property. In order to attract a developer to partner with the City in obtaining a grant or to perform the remediation and develop the site, City staff is recommending that a market feasibility study be conducted. A market feasibility study will provide data to support particular development for the site and allow staff the ability to approach developers with the known potential for the site. It is estimated that a study would cost approximately \$3,000-\$5,000.

Motion to approve up to \$5000 from contingency for market study after RFP process made by Robert O’Brien, 2<sup>nd</sup> by Anita Twitchell. Vote 4-0

Keep item on Planning Commission for continued updates

Motion for Executive Session to discuss legal opinion made by Robert O’Brien, 2<sup>nd</sup> by Anita Twitchell. Vote 4-0

Motion to adjourn executive session made by Robert O’Brien, 2<sup>nd</sup> by Anita Twitchell. Vote 4-0

Meeting Adjourned at 9:18 made by Robert O’Brien, 2<sup>nd</sup> by Anita Twitchell. Vote 4-0

## APPENDIX B 2017 CITY COUNCIL & COMMITTEE MEETING DATES

### City Council Meetings-7:00PM City Hall Council Chambers

January	5
February	2
March	2
April	6
May	4
June	1
July	6
August	3
September	7
October	5
November	2
November	16
December	7

### Environmental/Parks-7:00PM

(2nd Tuesday of the Month)  
Hurley Building Conference Room

January	10	July	11
February	7	August	8
March	14	September	12
April	11	October	10
May	9	November	-
June	13	December	-

### Finance/Budget-7:00PM

(4th Tuesday of the Month)  
Hurley Building Conference Room

January	31	July	25
February	28	August	22
March	28	September	26
April	25	October	24
May	23	November	-
June	27	December	-

### Ordinance/Charter Review-7:00PM

(3rd Tuesday of the Month)  
Hurley Building Conference Room

January	17	July	18
February	21	August	15
March	21	September	19
April	18	October	17
May	16	November	-
June	20	December	-

### Planning/Development-7:00PM

(1st Tuesday of the Month)  
Hurley Building Conference Room

January	3	July	-
February	14	August	1
March	7	September	5
April	4	October	3
May	2	November	-
June	6	December	-

### *Special Committee*

PUD Committee – to be announced

Budget Workshops  
Hurley Building Conference Room  
November 1, 9, 14, 21, 28