

MINUTES OF THE CANANDAIGUA CITY COUNCIL MEETING
THURSDAY, JANUARY 8, 2015 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 3 Karen White
Councilmember Ward 4 Cindy Wade
Councilmember-at-Large Maria Bucci
Councilmember-at-Large VACANT
Councilmember-at-Large James Terwilliger
Mayor Ellen Polimeni

Members Absent:

Councilmember Ward 2 Ian Boni
Councilmember-at-Large David Whitcomb (Arrived at 7:08 PM)

Also Present:

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

Mayor Polimeni stated that Councilmember Ward 2 Boni will not be at the Council Meeting.

Review Core Values: Councilmember Ward 3 White read the Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

Approval of Minutes: Councilmember-at-Large Terwilliger moved for the approval of the Council Minutes of December 4, 2014. Councilmember Ward 1 Cutri seconded the motion.

Vote Result: Carried unanimously by voice vote

Recognition of Guests:

- Joel Freedman, 329 North Main St.- Presented to the Council a copy of a “Letter to the Editor” on January 6, 2015 from a Stephen Fallon indicating that the Geneva City Council has decided to end accepting leachate from the landfill run by Casella Waste Systems when their contract runs out in March of 2015 because there is no safe way to get rid of leachate that ends up in the lake. Mr. Freedman urged City Council to also consider this issue of leachate into the Waste Water Treatment Plant.
- City of Canandaigua Centennial Endowment Committee – Byron Delavan, Canandaigua, updated the Council on the Endowment Fund started during the City of Canandaigua’s Centennial Celebration in 2013. To date this fund has accumulated over \$100,000 which is managed by the Canandaigua National Bank. This is a philanthropic fund to provide financial support for cultural, educational, artistic and economic projects that will benefit the future of Canandaigua. The original committee that spearheaded the fundraising efforts included Bruce Kennedy, Byron Delavan, Dick McGavern and the late Thomas Sheavly.

The fund will now be controlled by an advisory committee made up of citizens from each of the four wards, a representative from the Business Improvement District, Canandaigua National Bank and Mayor Polimeni. There is a set of by-laws established governing the committee.

- Kevin Olvany- Indicated that the City of Canandaigua received a grant from the New York Chapter of the Corporate Wetland Partnership to help out with the Lagoon Park restoration.
- Kevin Olvany, Watershed Program Manager, presented the 2014 Comprehensive Update of the Canandaigua Lake Watershed Management Plan.

Committee Reports:

Planning: Councilmember Ward 4 Wade reported that the Planning Committee met on January 6th and discussed the following:

- Committee Progress Reports: 2014 Review
- 2015 Priority Goals; Potential Updates to Strategic Plan
- Potential for Committee Reorganization

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

Resolutions:

Resolution #2015-001:

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

A RESOLUTION APPOINTING MEMBERS TO VARIOUS CITY BOARDS

WHEREAS, pursuant to the City Charter, the City Council must appoint all members to the City Planning Commission, the Zoning Board of Appeals, and the Board of Assessment Review; and

WHEREAS, there are several vacancies on said Boards, which require appointment or reappointment of members;

NOW, THEREFORE, BE IT RESOLVED, that the following are hereby appointed to the indicated Board:

Board of Assessment Review (5 year term)

- reappointment of Tim Eddinger to his second and final term.

City Zoning Board of Appeals (3 year terms)

- reappointment of Lloyd Peterson to his third and final term.
- reappointment of Ryan Akin to his second term.
- appointment of Robert O'Brien to his first term.

City Planning Commission (3 year terms)

- reappointment of James Mueller to his third and final term.
- reappointment of Anne Beyer to her first full term.
- reappointment of Stanley Taylor to his first full term.

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

Resolution #2015-002:

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

**A RESOLUTION RECOGNIZING AND THANKING CITY ASSESSOR
MARK BROWN
FOR OVER 30 YEARS OF SERVICE TO THE CITY OF CANANDAIGUA**

WHEREAS, Mark Brown began his career as City Assessor on July 16, 1984; and

WHEREAS, during his years of service Mr. Brown filed 30 assessment rolls; performed 10 city-wide reassessments; and maintained fair and equitable assessments, while administering the assessment roll in accordance with the New York State Real Property Tax Law, the City Charter, and the rules and regulations of the State Board of Real Property Services; and

WHEREAS, in 1980 Mr. Brown was part of a consultant team responsible for the City's first full value assessment; and

WHEREAS, in 1998 Mr. Brown served as acting City Clerk/Treasurer for a period of four months; and

WHEREAS, Mr. Brown has maintained a positive working relationship with City property owners, always responding to customer concerns and complaints tactfully and respectfully; and

WHEREAS, during his career with the City of Canandaigua, Mr. Brown has won the respect and admiration of his peers; and

WHEREAS, Mr. Brown has served as City Assessor under five City Managers, four Mayors and sixteen City Councils;

NOW, THEREFORE, BE IT RESOLVED that the Canandaigua City Council hereby recognizes and thanks Mark Brown for over 30 years of dedicated service to the City of Canandaigua and wishes him all the best upon his retirement.

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

Resolution #2015-003:

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

**A RESOLUTION CREATING TWO POSITIONS OF
FIRE INSPECTOR (PART-TIME) FOR THE CITY OF CANANDAIGUA**

WHEREAS, On October 3, 2013 the City of Canandaigua and the Canandaigua Fire Association entered into a Memorandum of Understanding (MOU) regarding Fire Inspectors; and

WHEREAS, said MOU provided for the appointment of Firefighters to a special assignment of Fire Inspectors with special assignment duties performed during off-duty (straight-time pay) hours; and

WHEREAS, the MOU was effective until a Public Employment Relations Board (PERB) determination was rendered with respect to the Association's application on the matter (Case No. U-29660); and

WHEREAS, PERB issued a determination on October 6, 2014; and

WHEREAS, although PERB's determination regarding the Fire Inspectors is consistent with the MOU, the MOU was terminated pursuant to its terms, which requires the City to officially create Fire Inspector positions to be in compliance with the PERB decision; and

WHEREAS, the City submitted documentation to Ontario County Department of Human Resources to classify two Fire Inspector (Part-Time) positions; and

WHEREAS, the Ontario County Department of Human Resources has classified the two Fire Inspector positions (Part-Time) and has notified the City that these positions must be created by Resolution of the City Council;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby creates two positions of Fire Inspector (Part-Time)

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

Ordinance:

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

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

This Ordinance remains on the table.

Local Law: None

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

- Christmas tree pick up through January 21st. Please place your Christmas tree between the curb and the sidewalk and do not put it in plastic.
- The Fire Department will be promoting two firefighters to the position of Captain next week.

Miscellaneous:

- Councilmember-at-Large Whitcomb moved to approve the proposed 2015 City Council meeting dates. Councilmember Ward 1 Cutri seconded the motion.
Vote Result: Carried unanimously by voice vote. (7-0)

Executive Session:

Councilmember Ward 3 White moved to close the regular meeting to go into Executive Session at 8:11 PM to discuss the employment history of a particular person. Councilmember Ward 4 Wade seconded the motion.

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

Councilmember Ward 3 White moved to close the executive session and return to the regular meeting at 8:41 PM. Councilmember Ward 4 Wade seconded the motion.

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

Regular Session -Adjournment

Councilmember Ward 3 White moved to adjourn the regular session at 8:41 PM. Councilmember Ward 4 Wade seconded the motion.

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

Nancy C. Abdallah, Clerk Treasurer