

MINUTES OF THE CANANDAIGUA CITY
COUNCIL MEETING
THURSDAY, OCTOBER 6, 2016 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 2 Anita Twitchell
Councilmember Ward 3 Karen White
Councilmember Ward 4 Cindy Wade
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 1 Nick Cutri

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

Mayor Polimeni stated that Councilmember Ward 1 Cutri is absent due to a family commitment.

Review of Community Core Values: Councilmember Ward 2 Twitchell 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 September 1, 2016. Councilmember-at-Large Whitcomb seconded the motion.

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

Recognition of Guests:

- Lenore Friend, FLTV, spoke about the improvements and advancements at FLTV. This includes simultaneously broadcasting on TV and the web at fltv.org/broadcasting.
- Penny Cugino, Director of the Tobacco Action Coalition recognized City Council for the action taken on providing “smoke-free” parks in the City of Canandaigua. The coalition has been very supportive of this effort and provided the signage for the parks.
- Mayor Polimeni recognized the following employee for “Long Service Award”
 - Don Frarey 30 year

The Mayor also recognized other employees not who were not in attendance:

- Dick Gates 35 years
- Francis Knoerl 30 years
- Mark Francis 25 years
- Peter Houle 25 years

Committee Reports:

Planning/Development Committee: Met on October 4th and discussed the following:

SEE COMMITTEE NOTES - APPENDIX A

- 3rd Qtr Economic Development Report from the Chamber of Commerce
- Economic Development

Environmental/Parks: Met on September 13th and discussed the following:

SEE COMMITTEE NOTES - APPENDIX B

- PUBLIC HEARING – Restore NY Grant Application and Property Assessment List
- BID Refund – Canandaigua Nat'l Bank Real Property Assessment Challenge
- Transportation Alternatives Program (TAP) and Congestion Mitigation and Air Quality Improvement (CMAQ)

Ordinance Committee: Met on September 20th and discussed the following.

SEE COMMITTEE NOTES – APPENDIX C

- Stop Sign Additions and Removals

Finance/Budget: Met on September 20th and discussed the following:

SEE COMMITTEE NOTES – APPENDIX D

- Budget Items
- Override property tax cap
- Support Autism – Think Differently

Charter Review: Met on September 14th and September 22nd

SEE COMMITTEE NOTES – APPENDIX E

Resolutions:

Resolution #2016-070:

Moved: Councilmember-at-Large Terwilliger

Seconded: Councilmember-at-Large Whitcomb

**A RESOLUTION SETTING THE TIME AND PLACE OF A PUBLIC HEARING ON
LOCAL LAW No. 1 OF 2016
RELATIVE TO AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

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 the City Council of the City of Canandaigua that a public hearing regarding Local Law No. 1 of 2016 relative to a local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c, shall be held in the City Council Chambers, City Hall, 2 North Main Street, Canandaigua, New York during the meeting held at 7:00 p.m. on November 3, 2016; 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 #2016-071:

Moved: Councilmember Ward 4 Wade

Seconded: Councilmember-at-Large Whitcomb

**A RESOLUTION AUTHORIZING PAYMENT FROM INSURANCE RESERVE FUNDS
PURSUANT TO COURT ORDER**

WHEREAS, Canandaigua National Bank (CNB) filed three tax certiorari proceedings to review their real property assessments for the 2010, 2011 and 2012 tax rolls, which were the basis for taxes paid in 2011, 2012 and 2013 respectively for its properties at 56 South Main Street, 72 South Main Street and 26 Coy Street; and

WHEREAS, the litigation was adjudicated by the courts, which, in summary ruled that the CNB properties were over assessed and are due a refund from Ontario County, Canandaigua City School District and the City of Canandaigua of property taxes paid based on the overassessments; and

WHEREAS, the City Council, at its September 1, 2016 meeting authorized the appropriation of \$43,518.47 from the Insurance Reserve Fund for the City's portion of the refund owed to CNB; and

WHEREAS, in accordance with New York State law, in such cases, the assessment for the proceeding three years (real property assessments for the 2013, 2014, 2015 tax rolls which were the basis for taxes paid in 2014, 2015 and 2016) is too equal the court ruling unless during that period a reassessment takes place; and

WHEREAS, a reassessment took place for the 2014 tax roll and as a result settlement discussions are ongoing related to the 2014 and 2015 tax rolls, however, the City must refund taxes paid in 2014 based on the 2013 tax roll in accordance with the court order dated September 23, 2016;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Canandaigua that the Clerk/Treasurer is authorized to refund the appropriate tax payment to CNB with court ordered costs, which amount shall be disbursed from the Insurance Reserve Fund in the amount of \$12,975.45 as a proper expenditure related to a valid legal claim.

Discussion:

Councilmember-at-Large Terwilliger recused himself due to a conflict of interest.

The motion CARRIED on the following vote:

***AYES:** Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

***ABSTAINED:** Councilmember-at-Large Terwilliger*

Ordinances:

Ordinance #2016-006: *(Introduced and tabled at the August 4, 2016 Council meeting)*

ORDINANCE #2016-006

AN ORDINANCE AMENDING CHAPTER 850 OF THE MUNICIPAL CODE TO PERMIT FIREWORKS STORES IN THE C-3 ZONE DISTRICT

Lift from the table:

Moved: Councilmember Ward 4 Wade
Seconded: Councilmember Ward 3 White

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

Vote on Ordinance:

Moved: Councilmember Ward 4 Wade
Seconded: Councilmember-at-Large Whitcomb

Discussion: Councilmember-at-Large Terwilliger is not in support of this ordinance due to the fact that there are plenty of places that had sold fireworks around the perimeter of the City and does not see a need for allowing these "popup tents" in the City limits.

The motion CARRIED on the following vote:

***AYES:** Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

***NOES:** Councilmember-at-Large Terwilliger*

Ordinance #2016-007: *(Introduced and tabled at the September 1, 2016 Council meeting)*

AN ORDINANCE AMENDING CHAPTER 648, VEHICLE AND TRAFFIC, OF THE MUNICIPAL CODE TO ADD STOP INTERSECTIONS

Lift from the table:

Moved: Councilmember Ward 3 White
Seconded: Councilmember-at-Large Whitcomb

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

Vote on Ordinance:

Moved: Councilmember Ward 3 White
Seconded: Councilmember Ward 4 Wade

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Ordinance #2016-008: *(Introduced and tabled at the September 1, 2016 Council meeting)*

AN ORDINANCE AMENDING CHAPTER 648 OF THE MUNICIPAL CODE TO AUTHORIZE THE DISTRIBUTION OF CITY PIER PARKING PERMITS

Lift from the table:

Moved: Councilmember-at-Large Martin
Seconded: Councilmember-at-Large Whitcomb

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

Vote on Ordinance:

Moved: Councilmember-at-Large Martin
Seconded: Councilmember Ward 4 Wade

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Ordinance #2016-009: *(Introduced and tabled at the September 1, 2016 Council meeting)*

AN ORDINANCE CREATING CHAPTER 560 OF THE MUNICIPAL CODE, "RENTAL REGISTRATION HOUSING LAW"

Lift from the table:

Moved: Councilmember-at-Large O'Brien
Seconded: Councilmember Ward 3 White

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

Vote on Ordinance:

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

Discussion:

Mike Yarger, Landlord in City of Canandaigua, spoke out in opposition of this ordinance. He takes offence to the language in the ordinance and does not understand why this information has not been asked for before it is demanded.

Councilmember-at-Large Whitcomb responded by stating that he is happy with the way this came out of committee and is much less demanding than what was first discussed a couple years ago.

The motion CARRIED on the following vote:

AYES: Council Member Ward 2 Twitchell, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: Councilmember Ward 3 White

Ordinance #2016-010: *(Introduced and tabled at the September 1, 2016 Council meeting)*

AN ORDINANCE CREATING A NEW CHAPTER OF THE MUNICIPAL CODE ENTITLED "CHRONIC NUISANCE PROPERTIES" TO CREATE A PROCESS TO ABATE PROPERTIES THAT HAVE A NEGATIVE IMPACT ON THE QUALITY OF LIFE, HEALTH, AND SAFETY OF THEIR NEIGHBORHOODS

Lift from the table:

Moved: Councilmember-at-Large O'Brien
Seconded: Councilmember Ward 3 White

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

Vote on Ordinance:

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

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Ordinance #2016-011:

Councilmember Ward 2 Twitchell read the following ordinance and placed it on the table.

**AN ORDINANCE AMENDING CHAPTER 648, VEHICLE AND TRAFFIC, OF THE MUNICIPAL CODE
TO REMOVE STOP INTERSECTIONS**

SECTION 1. §648-13 “Stop Intersections” of the Municipal Code is hereby amended to remove the following:

Antis Street from the east with Bates Street
Bates Street from the south with Antis Street
Booth Street from the south with the Wegmans access road
Hubbell Street from the north and south with Dungan
Jefferson Ave from the north with Niagara Street

SECTION 2. This Ordinance shall take effect immediately upon adoption.

Local Laws:

Councilmember-at-Large Terwilliger read the following local law and placed it on the table.

LOCAL LAW No. 2016-001
City of Canandaigua, County of Ontario

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

Section 1. Legislative Intent

It is the intent of this local law to allow the City of Canandaigua to adopt a budget for the fiscal year commencing January 01, 2017 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the next fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The City Council of the City of Canandaigua, County of Ontario, is hereby authorized to adopt a budget for the fiscal year commencing January 01, 2017 that may require a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

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

Section 5. Effective date

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

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

- Continuing union negotiations
- Roof was replaced on the hotel site
- Sales tax talks continuing with the County
- Working with the Town on the Fire Services Agreement
- Attended ICMA annual conference with Assistant City Manager John Goodwin

Miscellaneous:

- Councilmember Ward 4 Wade reminded residents that although we have had rain, we are still under a City water advisory.
- Mayor Polimeni talked about the mural downtown.
- Corporation Counsel Michele O. Smith reminded residents that due to the Columbus day holiday, City hall will be closed on Monday and garbage pickup is delayed one day.

Executive Session:

Councilmember Ward 4 Wade moved to close the regular meeting to go into Executive Session at 8:23 PM to discuss pending litigation and attorney-client communication. Councilmember-at-Large Whitcomb seconded the motion.

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

Regular Session:

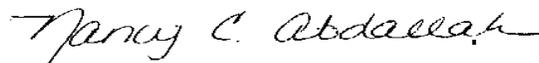
Councilmember Ward 4 Wade moved to close the executive session and return to the regular meeting at 9:30 PM. Councilmember-at-Large Martin seconded the motion.

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

Adjournment

Councilmember Ward 4 Wade moved to adjourn the regular session at 9:30 PM. Councilmember-at-Large Martin seconded the motion.

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



Nancy C. Abdallah, Clerk Treasurer
City of Canandaigua

APPENDIX A
PLANNING/DEVELOPMENT
Tuesday, October 4, 2016
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

Meeting called to order at 6:00 PM

1. 3rd Quarter Economic Development Report – Chamber of Commerce

Thomas Lyon presented the quarterly report covering July-September 2016 summarizing efforts, activities and results.

Alison Grems and Randy Farnsworth were also present for discussion.

2. Economic Development

Over the last several months the City Council at its Planning/Development Committee, Finance/Budget Committee and Committee of the Whole meetings has discussed how the City should proceed with economic development.

Open discussion with 3 questions:

- 1) Does the City want to have a contract for economic development?
- 2) If "yes" does the City want to continue to contract with the Chamber of Commerce?
- 3) If "yes" what should be the scope of work for services and the consideration?

Does the City want to have a contract for economic development?

City Manager started discussion by stating the belief that the City staff could handle economic development in-house and allocate the \$104,000 to other City uses. This position supported by Karen White, Robert O'Brien, and Anita Twitchell

David Whitcomb doesn't think that existing City staff is capable of handling the additional workload, so he supports continuing with an outside contract. This position supported by Jim Terwilliger, Cindy Wade, Matt Martin, Nick Cutri and Ellen Polimeni.

6-3 straw poll of all council members in favor of continuing outside contract

If "yes" does the City want to continue to contract with the Chamber of Commerce or do RFP?

City Manager started discussion again and explained that at ICMA conference he polled many other City Managers as to what they do and not use their Chamber of Commerce but many do use outside contractors whose business is economic development. He recommends doing an RFP so that the Council can see what other alternatives are out there. This position is supported by Karen White, Nick Cutri, Anita Twitchell, Robert O'Brien, and David Whitcomb.

Jim Terwilliger in favor of continuing relationship with Chamber of Commerce rather than possibly dealing with business from outside the area. Position supported by Cindy Wade, Matt Martin and Ellen Polimeni. David Whitcomb didn't realize that his comment was viewed as not supporting the Chamber so supports RFP generally but not in this instance.

5-4 straw poll of all council members in favor of continuing with the Chamber of Commerce

APPENDIX A (CONTINUED)
PLANNING/DEVELOPMENT COMMITTEE

Randy Farnsworth would recommend that the City proceed with RFP process since there is such disconnect between what economic development is and how it should be formulated. Since it appears that there are concerns with the Chambers compliance under the contract, and the Chamber also needs to re-evaluate what the City is seeking and whether they can or want to provide the service.

If “yes” what should be the scope of work for services and the consideration?

Ted reminded Council members that he was given the directive from the last Committee to develop a proposed contract that would make the Chamber accountable and create quantifiable deliverables. The proposal was only sent to Council as directed, not to the Chamber. Need to have review and discussion of the proposed contract with the Council to determine exactly what services and results the City is trying to achieve.

Mayor stated the perception that the services provided under the contract was not to the level of the amount of consideration paid. Jim Terwilliger does not think appropriate to discuss RFP parameters when one of the potential bidders is in the room. David Whitcomb questioned Chamber whether they even think they would be interested in participating in RFP based on current relationship with City? Randy Farnsworth indicated that when the perception is that great, it really is the appropriate time for an RFP for both parties to re-evaluate. Based on these comments the Council members reconsidered and proposed to support the RFP. Matt Martin thinks an executive session would be appropriate to discuss City staff and disclosure of attorney-client privilege.

Discussion quickly devolved to blame and criticism of the Chamber, the City staff, and even other council members.

Motion to convert proposed contract into an RFP for Committee review made by Robert O’Brien, 2nd by Anita Twitchell. Vote 4-0. Continue discussion at October 11th, Environmental Committee.

Meeting Adjourned @ 8:5 PM

APPENDIX B
ENVIRONMENTAL/PARKS
Tuesday, September 13, 2016
7:00 p.m.
Hurley Building Conference Room

Committee: Nick Cutri, Chair; Matt Martin; Anita Twitchell; David Whitcomb

Other Council Members: Mayor Ellen Polimeni, Cindy Wade, Robert O'Brien, Jim Terwilliger, Karen White

Staff: Ted Andrzejewski; John Goodwin

The meeting was opened at 7:00 PM and the Chair amended the agenda to add a presentation from former Councilmember Maria Bucci regarding Walk to School Day which is planned for October 5th.

1. PUBLIC HEARING – Restore NY Grant Application and Property Assessment List

On July 13, 2016, City staff submitted a Letter of Intent to Empire State Development for the Restore NY grant program for the rehabilitation of the property at 10 Chapin Street (known as the Labelon Building). The project was deemed eligible for the program. As part of the grant application a public hearing must be held to discuss the application and the property assessment list. In summary, the application involves a request for \$500,000 to offset the environmental contamination and asbestos remediation work (estimated total cost of \$900,000) with the required match being provided by the developer. The total development project is approximately \$10.8 million to redevelop the site into a mixed use development with residential units on the upper floors and commercial/office space on the ground floor. The Public Hearing opened at 7:09 PM. No one was at the meeting to speak to the item. The hearing was closed at 7:10 PM.

2. BID Refund – Canandaigua Nat'l Bank Real Property Assessment Challenge

Canandaigua National Bank (CNB) filed three petitions to review the assessments for the 2010, 2011 and 2012 tax rolls which were reflective of valuations as of July 1, 2009, 2010 and 2011 respectively for its properties at 56 South Main Street, 72 South Main Street and 26 Coy Street. The litigation has been recently settled via court ruling (attached) which in summary ruled that the CNB properties were over assessed and is due a refund from Ontario County, Canandaigua City School District and the City of Canandaigua of property taxes paid utilizing the overassessments. At the August 30, 2016 Finance/Budget Committee meeting the committee discussed staff's recommendation that City Council appropriate the refund amount of \$43,518.47 from the Insurance Reserve Fund and charge the BID \$6,105.43 for the BID's portion of the refund. The appropriation was supported by the Committee and subsequently approved by City Council at its September 1, 2016 meeting; however, the Committee tabled the discussion regarding the charge of \$6,105.43 to the BID for their portion of the refund. At the September 1, 2016 City Council meeting, the BID requested that the discussion be held prior to the September 15th deadline for Outside Agency's to submit requests for funding to the City Manager's Office. A general discussion was held and the consensus was that the \$6,105.43 charge to the BID would be a financial hardship for the BID. Given that the BID is a governmental agency created by the City, Committee members felt that it was not in the City's best interest to charge the BID. David Whitcomb motioned that the Committee recommend to full Council to take no action, 2nd Matt Martin. Motion Approved 4-0 vote.

3. Transportation Alternatives Program (TAP) and Congestion Mitigation and Air Quality Improvement (CMAQ)

The New York State Department of Transportation (NYSDOT) is soliciting projects for \$98.7 million (\$62.2 million in funding under the Transportation Alternatives Program (TAP) and \$36.5 million under the Congestion Mitigation and Air Quality Improvement (CMAQ) Program). These are Federal Aid reimbursement programs that may include pedestrian, bicycle and other non-motorized transportation improvements, safe routes to schools, transit access infrastructure upgrades, scenic trails, streetscape improvements and projects that contribute to air quality. There are two projects that the City could apply for to utilize these funds: (1) the construction of one of the a multi-use trails identified in the City's Active Transportation Plan; (2) a feasibility

APPENDIX B (Continued)
ENVIRONMENTAL/PARKS

study and cost estimates for the construction of a bridge or tunnel over or under Rt. 5&20 near the intersection of Main Street (Rt. 332). Both TAP and CMAQ require a 20% non-federal share. The cost of the proposed multi-use trail along the rail road from West Gibson to Buffalo is estimated at approximately \$250,000 (20%=\$50,000) and the cost of a feasibility study is estimated at \$25,000-\$30,000 (20%=\$5,000 - \$6,000). The question before the committee is whether to pursue the grant application(s). **A general discussion regarding the proposed projects was held. Thomas Lyons of the Chamber commented that the minimum Federal share for any project is \$250,000 which with a local share of \$62,500 (20%) would necessitate a total project budget \$312,500. It was generally agreed that adding design and engineering to the feasibility study would be a project that would put the City in better position for grant funding for construction. There was a general consensus of the Committee that the trail project would make a positive impact on the City and would provide a link to the new proposed dog park; however, the school district must be approached. David Whitcomb motioned to authorize the preparation of grant applications and their submittals with the decision for an appropriation to be made at a later date if a grant(s) is awarded to the City.**

Meeting Adjourned @ 8:47 PM

**APPENDIX C
ORDINANCE COMMITTEE
Tuesday, September 20, 2016
7:00 p.m.**

Hurley Building Conference Room

Committee: David Whitcomb, Chair; Nick Cutri; Karen White; Matt Martin;

Other Council members: Ellen Polimeni; Jim Terwilliger; Cindy Wade; Anita Twitchell, Robert O'Brien

Staff: Ted Andrzejewski, John Goodwin

1. Stop Sign Additions and Removals

Last month the Committee of the Whole reviewed staff recommendations in regard to the addition and removal of stop signs. The Committee approved the additions which were introduced and tabled at the September 1, 2016 City Council meeting. However, the stop sign removals were tabled for further discussion. Stop intersections in the City are designated in City Code §648-13 Stop Intersections. From time to time, as new streets are developed or as conditions warrant, it is necessary to amend this section of code in order to allow for the installation or removal of stop signs at intersections in accordance with the National Manual of Uniform Traffic Control Devices (MUTCD). It should be noted that if the City installs or does not removed a traffic control device that deviates from the MUTCD, the City would be potentially liable for any accidents that subsequently occur. In accordance with MUTCD, stop signs are not to be used nor are effective as speed control devices, but rather as safety measures to determine the right-of-way at intersections with certain minimum traffic volumes, where there is poor visibility, unusual geometry and unexpected traffic conditions.

Attached are maps of the proposed removal locations and additional information regarding the prop use of stop signs. Staff recommends the removal of the following stop signs:

Location	Reason
Antis Street from the east with Bates Street	Acting as a speed control device
Bates Street from the south with Antis Street	Acting as a speed control device
Booth Street from the south with the Wegmans access road	Booth Street is being realigned and this location will be part of the new North Shore Blvd. The stop sign is also too close to the traffic light.
East Street from the north and south with Tamarack Drive	Acting as a speed control device
Hubbell Street from the north and south with Dungan Street	Acting as a speed control device
Jefferson Avenue from the north and south with Beal Street	Acting as a speed control device
Jefferson Avenue from the north with Niagara Street	Jefferson Avenue does not intersect with Niagara Street from the north.

John Goodwin briefly presented the recommendation to remove the above listed stop signs. General discussion as held about adhering to national standards while still addressing the safety concerns of residents. Karen White motioned to accept the recommendations, 2nd Matt Martin. During discussion Matt Martin asked about the costs of traffic calming measures that could be installed to properly deal with the safety concerns of the areas. John reported that the staff will prepare a recommendation for traffic calming with details of the costs. Motion failed by 1-3 vote. Motion made by Nick Cutri to accept the recommendation with the exception of East Street from the north and south with Tamarack Drive; Jefferson Avenue from the north and south with Beal Street. 2nd Matt Martin. Motion approved 4-0.

Meeting was adjourned at 7:43 PM

APPENDIX D
FINANCE/BUDGET COMMITTEE
Tuesday, September 20, 2016
7:43 p.m.
Hurley Building Conference Room

Committee: James Terwilliger, Chair; Robert O'Brien; Karen White, Cindy Wade

Other Council members: Ellen Polimeni; Matt Martin; David Whitcomb; Anita Twitchell, Nick Cutri

Staff: Ted Andrzejewski; John Goodwin

1. Budget Items

Throughout the year the Committee has discussed a list of budget items submitted by Councilmembers. The Committee has completed discussions regarding the special event policy, Mayor/City Council salary, Police Department, and Fire Department. There have been discussions at various committee meetings regarding the remaining items, economic development and solid waste collection; however, the Committee has not made determinations regarding the items.

Jim Terwilliger opened the meeting at 7:44 PM and asked the committee to discuss and vote on the solid waste collection budget item that was previously discussed at the Environmental/Parks Committee and Finance/Budget Committee so that staff could have direction in preparing the 2017 Budget. The Committee on motion made by Karen White, 2nded by Robert O'Brien vote 4-0 to keep the solid waste collection program as is without any additional fees or outsourcing. A straw vote was taken by Council and result in 9-0 supporting the motion.

The economic development discussion will continue at the Planning/Development Committee meeting on October 4th.

The Committee discussed enacting a local law to override the NYS 2% Tax Cap. The local law would provide the Council the ability to override the cap and be a protection against any calculation errors. Motion made by Robert O'Brien, 2nd Karen White recommending the local law to City Council was approved by 4-0 vote.

Mayor Polimeni spoke to an item that she has been working on regarding the "Think Differently" initiative and requested support of the Committee and Councilmembers present for a resolution of supporting the initiative.

Meeting Adjourned 8:27@ PM

APPENDIX E
CANANDAIGUA CHARTER COMMITTEE REVIEW
Wednesday, September 14, 2016
6:00 p.m.
Hurley Building Conference Room

Members Present: Paul Bringewatt, Chair; John Goodwin, Secretary; Thomas Lyons, Vice-Chair; Jim Irwin; Jack Chambers; Bob Palumbo; Karen White

Members Absent: Matt Martin; Nick Cutri; Jadon Hoffman; David Whitcomb

Advisors Present:

Guests: Nancy Abdallah, James Sprague

1. Approval of Minutes from August 17, 2016 meeting

- a. Motion made by Karen White, seconded by Jack Chambers. Approved by 7-0 vote

2. Administrative Information

- a. No report.

3. Review of Chapter 6. Department of Administration

- a. Nancy Abdallah, in her memo to the Charter Commission, and Michele Smith suggested several changes and drafted the revisions for the Commissions consideration (draft attached to these minutes and made a part thereof).

- i. *The Commission reviewed each revision and approved the changes.*

4. Review of Chapter 7. Department of Assessments

- a. *The Commission reviewed the Chapter and approved the suggested change* (draft attached to these minutes and made a part thereof) to clarify that the Board of Assessment Review is an independent body.

5. Review of Chapter 8. Department of Public Works

- a. *The Commission reviewed the Chapter and approved the suggested changes* (draft attached to these minutes and made a part thereof) to add Parks and Recreation as a bureau.

- b. *The Commission also added Solid Waste Collection and Central Garage as bureaus.*

6. Other

- a. The Commission discussed the future meeting schedule and changed the originally scheduled September 21st meeting to September 22nd.

7. Adjourn

- a. The meeting adjourned at 7:23 PM.

APPENDIX E (Continued)
CANANDAIGUA CHARTER COMMITTEE REVIEW
Wednesday, September 22, 2016
6:00 p.m.
Hurley Building Conference Room

Members Present: Paul Bringewatt, Chair; John Goodwin, Secretary; Thomas Lyons, Vice-Chair; Jim Irwin; Bob Palumbo; Karen White; Jadon Hoffman; David Whitcomb

Members Absent: Matt Martin; Nick Cutri; Jack Chambers

Advisors Present:

Guests: Rick Brown, Stephen Hedworth, Mark Marrentette

1. Approval of Minutes from September 14, 2016 meeting

- a. Motion made by Karen White, seconded by David Whitcomb. Approved by 8-0 vote

2. Administrative Information

- a. No report

3. Review of Chapter 9. Department of Public Safety

- a. The Commission discussed adding language to §9.1 similar to what is included in §8.4 providing the City Council the ability to add, consolidate or re-align bureaus of the department.
 - i. The Commission discussed that there are certain procedures in NYS Law in regard to adding, consolidating or re-aligning public safety bureaus (noted was Police).
 - ii. **The Commission voted to keep the language as written by 7-1 (Karen White dissenting)**
- b. There was a brief discussion as to the meaning of the last three words in §9.5 and 9.10. The sections state that police officers or firefighters “shall be appointed and be subject to suspension and removal in accordance with the provisions of the Civil Service Law of the State of New York, unless otherwise provided.” It was noted that the meaning most likely is referring to other sections of New York State Law that may pertain to the appointment, suspension or removal of a police officer or firefighter. The Commission will ask Michele Smith to research.
- c. It was recommended to remove §9.11 – 9.15 as the Health and Sanitation Bureau does not exist.
 - i. The duties are performed by the New York State Department of Health, Ontario County Department of Health or Code Enforcement Officers.
 - ii. **The Commission voted to accept the recommendation and remove §9.11 – 9.15. §9.1 will also be amended to reflect the removal of the Health and Sanitation Bureau.**
- d. The Commission discussed the Inspection Bureau as to whether it should remain as part of the Public Safety Department or be moved to the NEW Chapter 10. Department of Planning and Development.
 - i. **The Commission voted to move the Inspection Bureau from the Public Safety Department to the NEW Chapter 10. Department of Planning and Development.**

APPENDIX E (Continued)
CANANDAIGUA CHARTER COMMITTEE REVIEW
Wednesday, September 22, 2016

4. Review of NEW Chapter 10. Department of Planning and Development

- a. The Commission reviewed the draft Chapter 10.
- b. The Commission previously voted to move the Inspection Bureau to the Department of Development and Planning as §10.3.
- c. **The Commission added the two duties to the Director of Development and Planning to be consistent with other Chapters and the addition of the Inspection Bureau.**
 - i. **Perform those duties and assignments as outlined in the job description maintained by the Personnel Officer.**
 - ii. **Direct and supervise the Inspection Bureau.**

5. Review of Chapter 12. Planning Commission

- a. The Commission reviewed Chapter 12 and had no changes.

6. Review of Chapter 13. Zoning Board of Appeals

- a. The Commission reviewed Chapter 13 and had no changes.

7. Other

- a. Paul Bringewatt asked the Commission to discuss the role of economic development and whether it should be included in the Charter.
 - i. The Commission discussed the issue and ultimately decided that there is no one definition for economic development and that the Ontario County Industrial Development Agency and the Ontario County Economic Development Department already provide economic development for the City.
- b. Bob Palumbo asked about the Ontario County Industrial Development Agency (IDA) and its ability to grant tax incentives such as PILOTs independent of City Council, the School Board or County Board of Supervisors.
 - i. It was noted that IDAs are creatures of New York State and the City does not have any authority over the IDA.
 - ii. Cities can create their own IDA's (City of Geneva has an IDA), however, the New York State Legislature must approve. It is unlikely that a new IDA would be created by the New York State Legislature and unknown if there is support/demand from the community to go through the effort to create a City IDA.

8. Adjourn

- a. The meeting was adjourned at 8:33 PM.