

MINUTES
CITY COUNCIL AGENDA
THURSDAY, FEBRUARY 2, 2023, 7:00 P.M.
CITY COUNCIL CHAMBERS- HURLEY BUILDING
205 SALTONSTALL ST.
VIRTUAL: <https://us06web.zoom.us/j/82103183289>
LIVE STREAM: <https://fingerlakestv.org/live/>

City Councilmembers Present:

Bob Palumbo, Mayor
Ellen Polimeni, Councilmember Ward I
Dan Unrath, Councilmember Ward II
Karen White, Councilmember Ward III
Erich Dittmar, Councilmember Ward IV
Sim Covington, Councilmember-at-Large
Thomas Lyon, Councilmember-at-Large
Renée Sutton, Councilmember-at-Large
Steve Uebbing, Councilmember-at-Large (via Zoom)

City Staff Present:

John Goodwin, City Manager
Erin VanDamme, City Clerk
David Hou, Corporation Counsel

The Mayor called the meeting to order at 7:00 pm.

After the Pledge of Allegiance, the Mayor asked for a moment of silence for Jeff Marinelli, community activist who recently passed away. Jeff and his wife Suzanne, started Noah's Blessing Box on Chapin Street, which has helped several residents with food insecurity issues.

Review of Community Core Values: Councilmember-at-Large Sutton 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:

January 5, 2023

Moved: Councilmember Ward 3 White

Seconded: Councilmember-at-Large Sutton

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

January 17, 2023

Moved: Councilmember Ward 3 White

Seconded: Councilmember-at-Large Sutton

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

Recognition of Guests:

Emily Palumbos, President of the Grove Drive/Brigham Hall Association, who lives at 1A, spoke and requested Council reconsider their position on Condo's and Solid Waste Collection.

Nolan Lafler, who represents IAFF Local 2098 and works for Blitman & King LLP, read a prepared letter that was distributed to Council during the meeting regarding Union negotiations with the firefighter's union and the City.

Sean McCabe, whom represents IAFF state-wide and is also the President of the Greece School Board, spoke on behalf of the firefighter's union regarding their Union negotiations with the City.

Committee Reports: There were no committee reports.

February 2, 2023

Resolutions:

Resolution #2023-010:

Moved: Councilmember Ward 1 Polimeni

Seconded: Councilmember Ward 2 Unrath

**A Resolution Authorizing a Special Event: Downtown Canandaigua
Wedding March**

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

- *Downtown Canandaigua Wedding March*
Date: March 4, 2023
Location: Main Street Sidewalks, Central on Main, Coach Street, Commons Park
Coordinator: BID
Time: 10 AM to 4 PM
Purpose: Promote Tourism
Expected Number of Participants: ~5,000

WHEREAS, this request was reviewed at the January 17th Environmental Committee meeting;

NOW, THEREFORE, BE IT RESOLVED that City Council hereby grants permission to hold the abovementioned special event at the time and location listed under the following conditions:

- 1) that no fee or admission shall be charged to the general public for admission to the special event; and
- 2) that alcoholic beverages are not permitted to be sold or consumed on public property; and
- 3) that if the event coordinators intend to place any signs in the Main Street median, such signs shall only be allowed by permit of New York State Department of Transportation; and
- 4) that the event coordinator will ensure that all tents that are required to be inspected will be inspected prior to the start of the special event; and
- 5) that a detailed summary of all costs under the City's special event policy will be provided to the event coordinators for reimbursement.

BE IT FURTHER RESOLVED that the organizer of the Special Event shall adhere to any regulations that the City Manager and the City Police Department establish to insure the health and safety of Canandaigua residents and visitors throughout these events.

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

Resolution #2023-011:

Moved: Councilmember Ward 2 Unrath

Seconded: Councilmember Ward 1 Polimeni

**A Resolution Authorizing a Special Event: Vintage & Classic Euro
Car Celebration**

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

- *Vintage & Classic Euro Car Celebration*
Date: June 10, 2023
Location: Main Street Sidewalks, Central on Main, Lafayette St. Parking Lot, Coach St. Parking Lot, Main Street Parking spots near Commons Park and near Central on Main
Coordinator: BID

February 2, 2023

Time: 12 PM to 5 PM

Purpose: Promote Tourism

Expected Number of Participants: 75-100

WHEREAS, this request was reviewed at the January 17th Environmental Committee meeting;

NOW, THEREFORE, BE IT RESOLVED that City Council hereby grants permission to hold the abovementioned special event at the time and location listed under the following conditions:

- 1) that no fee or admission shall be charged to the general public for admission to the special event; and
- 2) that alcoholic beverages are not permitted to be sold or consumed on public property; and
- 3) that if the event coordinators intend to place any signs in the Main Street median, such signs shall only be allowed by permit of New York State Department of Transportation; and
- 4) that the event coordinator will ensure that all tents that are required to be inspected will be inspected prior to the start of the special event; and
- 5) that a detailed summary of all costs under the City's special event policy will be provided to the event coordinators for reimbursement.

BE IT FURTHER RESOLVED that the organizer of the Special Event shall adhere to any regulations that the City Manager and the City Police Department establish to insure the health and safety of Canandaigua residents and visitors throughout these events.

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

Resolution #2023-012:

Moved: Councilmember Ward 4 Dittmar

Seconded: Councilmember-at-Large Sutton

A Resolution Authorizing Effort to Install Public Art at Lakefront Park

WHEREAS, Roseland Park operated in the area of what is now Lakefront Park for 60 years until its closure in 1985 and included a Sky Ride that went out over part of Canandaigua Lake and involved two stanchions in the Lake; and

WHEREAS, one of the two stanchions has been utilized as the base of the Canandaigua Lady ticket office, while the other has remained just off the shoreline of Lakefront Park as a blighting influence; and

WHEREAS, for several years an idea of installing public art on the un-utilized stanchion has been discussed and recently a local group of City residents worked with an artist to develop a concept sculpture proposal that is designed to recognize Roseland Park; and

WHEREAS, the concept sculpture was presented at the January 17th Environmental Committee and the Committee voted to approve the concept sculpture;

NOW, THEREFORE BE IT RESOLVED by the City Council that the concept sculpture to be installed on the un-utilized stanchion in Canandaigua Lake off the shore of Lakefront Park is approved and will be accepted as a donation to the City; and

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager to complete any necessary permits/licenses with New York State Office of General Services and Department of Environmental Conservation for the installation of public art on the un-utilized stanchion; and

BE IT FURTHER RESOLVED that this approval is contingent upon the project being funded by private funds and/or grants and shall not include any City funding other than in-kind services from City Staff.

Before the vote, Councilmember Polimeni announced that the FLACE account is up and running at Canandaigua National Bank for interested parties to donate. The account is under the “Ghost of Roseland Park” as the piece is titled. The hope is to have the project full funded by private donations to have the sculpture in place in 2024.

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

Resolution #2023-013:

Moved: Councilmember-at-Large Covington

Seconded: Councilmember Ward 3 White

**A Resolution Setting the Time and Place of a Public Hearing for
Ordinance #2023-002: Amending Schedule I of the Zoning Ordinance
regarding Mixed Use Zone Districts**

WHEREAS, §850-8 of the City’s Zoning Code requires a public hearing on amendments to the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by City Council that a public hearing on Ordinance #2023-002 amending Schedule I of the Zoning Ordinance regarding mixed use zone districts to reflect the consolidation of Mixed-Use Zone District that occurred with the adoption of Ordinance #2021-005 shall be held in the City Council Chambers, Hurley Building, 205 Saltonstall Street, Canandaigua, New York during the City Council meeting beginning at 7:00 p.m. on Thursday, March 2, 2023.

BE IT FURTHER RESOLVED, that the City Clerk shall cause notice to be given as required by §850-8 of the City’s Zoning Code.

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

Resolution #2023-014:

Moved: Councilmember-at-Large Lyon

Seconded: Councilmember-at-Large Sutton

**A Resolution Awarding an Engineering Services Contract for
Improvements at the Water Treatment Plan**

WHEREAS, the 2023 Water Fund Capital Budget included funding to complete engineering and design to replace and upgrade the sludge scrapper collection system to a new vacuum sludge collection system and replace and upgrade tube settlers at the Water Treatment Plant; and

WHEREAS, the wind storm event on December 23 and 24, 2022 resulted in a large amount of strain on the Water Treatment Plant’s sludge scrapper collection system requiring that the system be replaced as soon as practicable; and

WHEREAS, given that MRB Group has successfully completed engineering and design on various projects at the Water Treatment Plant and already has the knowledge of the plant and its components from the previous professional service relationship, City Staff requested a proposal from MRB Group in lieu of issuing a formal Request for Proposals (RFP) and;

WHEREAS, MRB Group submitted a proposal at a cost totaling \$142,750 with \$89,650 related to engineering, design and bidding and \$53,100 related to construction reviews and observations; and

WHEREAS, the City Manager and the Director of Public Works have reviewed the proposal, believe that the fees are reasonable for the scope of work and recommend awarding a contract to MRB Group; and

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City Manager to execute an engineering services contract with MRB Group for to complete the design of the sludge collection system and settling tube upgrades to the Water Treatment Plant and construction phase review and observation.

February 2, 2023

Ordinances:

Ordinance #2023-001: Councilmember-at-Large Sutton read and introduced the ordinance, placing it on the table.

An Ordinance Amending Chapter 648, Vehicle and Traffic, of the Municipal Code to Add A Stop Intersection

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

Thompson Lane from the northeast with Thompson Lane

SECTION 2. This ordinance shall be effective thirty (30) days following its enactment.

Ordinance #2023-002: Councilmember-at-Large Uebbing read and introduce the ordinance, placing it on the table.

An Ordinance Amending Schedule I of the Zoning Ordinance Regarding Mixed Use Zone Districts

WHEREAS, Ordinance 2021-005 amended the Zoning Map to consolidate the MU-1, MU-2, and MU-3 into a single zone district with the regulations applicable to the MU-2 zone district; and

WHEREAS, Schedule I of the Zoning Ordinance sets forth the bulk and area standards for each zone district;

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

Sec. 1. Schedule I of the Zoning District shall be amended to delete the MU-1 and MU-3 tables and to relabel the title of the MU-2 table to simply “MU”

Schedule I: Mixed Use - Low Density (MU-1)

Use	Lot Area (minimum) (square feet)	Minimum Width (feet)	Minimum Depth (feet)	Maximum Coverage on Lot (percent)	Minimum Height (feet) ^B	Maximum Height (feet) ^B	Minimum Setback Requirements (feet)			
							Front	Side		Rear
								Minimum	Total	
Personal services and retail shopping uses	5,000	50	75	50%	20	45	25	10	20	35
Mixed primary uses (retail, office, residential, etc.)	10,000	75	125	50%	20	60	25	10	25	25
Tourist homes/bed-and-breakfasts	10,000	75	125	35%	35	45	25	10	25	30 (40) ^A
Day-care center**	10,000	75	125	35%	20	45	25	10	25	50
Business and professional offices	10,000	75	125	35%	20	45	25	10	25	25
Public, semipublic, uses**	16,000	80	150	35%	20	45	25	10	25	30
Single-family residential	6,500	65	90	35%	35	45	25	10	16	25
Two-family residential	9,000	75	100	35%	35	45	25	10	25	25
Multifamily residential (7 or more units)	1 acre	150	150	35%	35	60	25	20	40	50
Multifamily residential (3 to 6 units)	22,000	125	150	35%	35	45	25	15	35	30

Schedule I: Mixed Use (MU)

Schedule I: Mixed Use - Medium Density (MU-2)

Use	Lot Area (minimum) (square feet)	Minimum Width (feet)	Minimum Depth (feet)	Maximum Coverage on Lot (percent)	Minimum Height (feet) ^B	Maximum Height (feet) ^B	Minimum Setback Requirements (feet)			
							Front	Side		Rear
								Minimum	Total	
Personal services and retail shopping uses	5,000	50	75	85%	20	45	25	10	20	35
Mixed primary uses (retail, office, residential, etc.)	10,000	75	125	85%	20	60	25	10	25	25
Tourist homes/bed-and-breakfasts	10,000	75	125	35%	30	45	25	10	25	30 (40) ^A
Day-care center**	10,000	75	125	35%	20	45	25	10	25	50
Business and professional offices	10,000	75	125	85%	20	45	25	10	25	25
Public and semipublic uses**	16,000	90	150	35%	20	45	25	10	25	30
Major commercial development*	1 acre	150	150	50%	20	60	25	15	35	35
Drive-through banks and pharmacies*	25,000	125	150	35%	20	45	25	10	25	25
Single-family residential	6,500	65	90	35%	30	45	25	10	16	25
Two-family residential	9,000	75	100	35%	30	45	25	10	25	25
Multifamily residential (7 or more units)	1 acre	150	150	35%	30	60	25	20	40	50
Multifamily residential (3 to 6 units)	22,000	125	150	35%	30	45	25	15	35	30

Schedule I: Mixed Use - High Density (MU-3)

Use	Lot Area (minimum) (square feet)	Minimum Width (feet)	Minimum Depth (feet)	Maximum Coverage on Lot (percent)	Minimum Height (feet) ^B	Maximum Height (feet) ^B	Minimum Setback Requirements (feet)			
							Front	Side		Rear
								Minimum	Total	
Personal services and retail shopping uses	5,000	50	75	85%	20	45	25	10	20	35
Mixed primary uses (retail, office, residential, etc.)	10,000	75	125	85%	20	60	25	10	25	25
Tourist homes/bed-and-breakfasts	10,000	75	125	35%	30	45	25	10	25	30 (40) ^A
Hotels and motels	20,000	125	150	35%	45	60	25	15	35	35
Day-care center**	10,000	75	125	35%	20	45	25	10	25	50
Business and professional offices	10,000	75	125	85%	20	45	25	10	25	25
Major commercial development*	1 acre	150	150	50%	20	60	25	15	35	35
Public and semipublic uses**	16,000	90	150	35%	20	45	25	10	25	30
Drive-through banks and pharmacies*	25,000	125	150	35%	20	45	25	10	25	25
Single-family residential	6,500	65	90	35%	30	45	25	10	16	25
Two-family residential	9,000	75	100	35%	30	45	25	10	25	25
Multifamily residential (7 or more units)	1 acre	150	150	35%	30	60	25	20	40	50
Multifamily residential (3 to 6 units)	22,000	125	150	35%	30	45	25	15	35	30

Sec. 2. This ordinance shall be effective thirty (30) days following its enactment.

February 2, 2023

Manager's Report: City Manager Goodwin reported that the new toter distribution was almost completed, reminded residents to review the FAQs on the City's website, and DPW will begin picking up old recycle toters and any garbage cans residents wish to recycle. Mr. Goodwin also reported on the changes in regulation from the Department of Transportation which will affect parades on Main Street for Memorial Day and July 4th. The ruling restricts lane closures on Main Street and will involve a re-route of all the parades moving forward. Mr. Goodwin noted that this is not an ideal situation as both parades are quite large. The Mayor is hoping to meet about this and is hoping the American Legion, who hosts the Memorial Day parade, will help in a letter writing campaign to the DOT to see if this can be changed. More on this will be available at a later date.

Miscellaneous: The Mayor reported on the Fire and Ice Festival happening downtown on February 18 – 19, 2023 encouraging residents to attend. Councilmember White said the Environmental Committee will have Ontario County Canandaigua Supervisor's Baker and Russell in attendance to speak about ongoing efforts at the Casella Landfill and encourages residents to email their questions to Council in advance of the meeting.

Adjournment: Councilmember-at-Large Sutton motioned to move into an Executive Session to discuss matters concerning employment of a certain individual, seconded by Councilmember Ward 4 Dittmar. Unanimously passed and carried by voice vote. Meeting adjourned at 7:53 pm.

Appendix A
MINUTES
PLANNING COMMITTEE & FINANCE COMMITTEE
TUESDAY, FEBRUARY 7, 2023, 7:00 PM
COUNCIL CHAMBERS
HURLEY BUILDING, 205 SALTONSTALL STREET
VIRTUAL: <https://us06web.zoom.us/j/84662898580>
LIVE STREAM: <https://fingerlakestv.org/live/>

Planning Committee Members in attendance: Thomas Lyon, Chair
Ellen Polimeni
Steve Uebbing, via Zoom
Dan Unrath

Other Councilmembers Present: Sim Covington, Jr.
Erich Dittmar
Renee Sutton
Karen White
Mayor Palumbo

City Staff Present: Nancy Abdallah, City Treasurer
John Goodwin, City Manager
David Hou, Corporation Counsel

Chair Lyon opened the meeting and welcomed members present. He welcomed the Canandaigua Town Board and Canandaigua Local Development Corporation members that have been invited to participate with the Planning Committee and City Council for this agenda. Chair Lyon reviewed the Canandaigua LDC Strategic Plan, as last year the Town Board hosted the City Council and the LDC for a joint meeting to review and discuss the mission, vision and strategic imperatives of the LDC for 2022. The LDC has reviewed its strategic imperatives for 2023, which are substantially the same as 2022, and wanted to briefly present them to the Town Board and City Council. He welcomed Jared Shepherd and he serves on the LDC Board providing administrative support. He reviewed the plans, briefly reviewing the mission and vision of the organization. He explained the small changes to the strategic imperatives for 2023, which are balancing tourism, infrastructure is developed for economic development, funding for priority capital projects and develop communication plans to both the City and Town and other necessary stakeholders to stay informed of developments. Councilmember Polimeni, asked about the active transportation plan and the way finding signage plan. Mr. Shepherd said that Bergmann Associates that completed a review for pedestrian traffic and tourism. She also asked about their tourism February 2, 2023

impact, a Mr. Shepherd reviewed their grant that was obtained for the Winter in Canandaigua event and will be for future funding. The Mayor asked about supporting the BID events and if the LDC is helping to fund some of these events and Mr. Shepherd said that there has been some funding and the reports will be sent to Council to review. Councilmember Sutton asked was the equity lenses is to ensure that all residents of Canandaigua are able to attend. He cited the Active Transportation Plan that the LDC will support through the capital program, support for the tourism throughout the year with jobs and other economic opportunity. Councilmember Polimeni said that she was pleased to see that a communication plan is part of the plans. She felt that we shouldn't have to ask to find out what is happening. Town Councilmember Adeline Rudolph asked what the LDC is referring to as lake front district means, she would like that better defined by the LDC. This will be an ongoing discussion.

Chair Lyon closed the meeting and thanked the guests for attending.

Finance Committee Members Present:

Steve Uebbing, Chair, via Zoom
Ellen Polimeni
Thomas Lyon
Dan Unrath

Other Councilmembers Present:

Sim Covington, Jr.
Erich Dittmar
Renee Sutton
Karen White
Mayor Palumbo

City Staff Present:

Nancy Abdallah, City Treasurer
John Goodwin, City Manager
David Hou, Corporation Counsel

Chair Uebbing, opening the meeting and welcomed members present. He reviewed the first agenda item, Capital Plans. He noted that recently, the City Manager has informed City Council of his planned changes to capital plans to address issues that have arisen. Specifically, the City Manager has postponed the reconstruction of North Bloomfield Road in order to utilize a portion of the anticipated debt in the Water Fund related to that project towards replacing and upgrading the sludge collection system and settling tubes at the Water Treatment Plant. Chair Uebbing requested a projection of the debt service over the next five year and thanked Treasury Abdallah for providing a summary to Council. He would like to look at the projections to try and asking the committee to study the details. He has asked the City Manager to look for ways to navigate these costs and ways to reduce the budgetary impacts, without impacting service to the community. Councilmember Polimeni said that she appreciates the work that Mrs. Abdallah has done to provide the details to the committee. Councilmember Unrath said that with aging infrastructure capital project will be bigger and planning is essential, Councilmember Lyon agrees. Mr. Goodwin and Mrs. Abdallah noted that the debt service will be cash flow position estimated by year 8 due to the revenue generate from the sale of materials to the landfill. Chair Uebbing noted that choices can be staggered for projects and would like to discuss at the next meeting. Water is not included in the debt limit and we are only at 24% of the debt limit and we are not there. Councilmember White mentioned the Build, Back Better plan to partner with state and national representatives to review that plan to see about some funding. Mr. Goodwin noted that they are planning to pursue as many grants as possible. Chair Uebbing said this will be an ongoing discussion for the next meeting as well.

Chair Uebbing moved into the second item, the Technology Fund Budget Amendment and asked Mr. Goodwin to explain. Mr. Goodwin said that the FCC adopted new rules for the use of certain radio frequencies and as a result the City must modifications to its camera system and obtain a licensed frequency in order to comply with the Federal rules. The cost to complete the modifications is \$9,036 plus a monthly fee of \$125.50 for a total cost of \$10,542 from the Technology Fund, Fund Balance. The Fees would be paid to Integrated Technologies who would pay the FCC. Councilmember Sutton requested to have the full FCC report be sent to Council for review. Councilmember Polimeni motioned to approve the \$10,542 expense to full Council for review, seconded by Councilmember Unrath. Unanimously passed and carried.

Chair Uebbing moved onto the Solid Waste Collection Program. He said that we have two communities, Holiday Harbour and Brigham Hall that had previously has trash dumpster collection. Both of these communities were not issued toters, as
February 2, 2023

they had dumpsters that have been collected by the City of Canandaigua's DPW department. In the updated solid waste plan beginning this year, their dumpsters were no longer going to be collected by the City. Chair Uebbing asked if there was concession within the committee to change the plan or stay where we are now, not picking up the dumpsters. Councilmember Lyon said, in preparation for tonight's meeting, he had reviewed previous meeting minutes and noted the two communities were specifically discussed during the 9/6 meeting which was passed on to the Ordinance committee, where the discussion continued regarding these two communities being impacted continued. He is open to tonight's discussion but he has heard from residents that there was a unilateral decision and it was not. Councilmember Polimeni, who was not on Council during the early stages of these discussions, said that her one question is whether or not, the governing boards for these communities were notified of this discussion. She does not see a need for change preferring the dumpsters to be collected. Councilmember Unrath inquired on the procedure from the City Manager that if Council decides to continue to pick up from the dumpsters, will that involve a resolution to do so. Mr. Goodwin noted the error in the ordinance that will require an amendment to strike the word "condo" from the Single-Family section of the ordinance, as they way it is written now the city would not pick up from dumpsters. Councilmember Unrath said that he would like to listen to the people coming to speak and has not formed an opinion yet. Councilmember White said that since she is property owner at Holiday Harbour, she will recuse herself. She added that with the way it stands right now, there is a way to provide the trash collection from a toter and should the service be grandfathered, it could be picked up that way. She said she thought it would be fair and equitable that way as City residents is doing the same. Councilmember Sutton asked if we are picking up dumpsters from the BID, Mr. Goodwin said that no, we do not pick up from the BID. Mr. Goodwin said that the City owns the land where those downtown dumpsters are located but they are collected privately. Councilmember Sutton said that she is against any change that the City Manager plans to implement, she said the only argument that has been made, that she has taken in for why this should be done is that that condos' only pay 1/3rd of their assessed property value. She said the only efficient way is to remove the garbage via these dumpsters. She would like to see the status quo continue with us picking up the dumpsters. Mayor Palumbo agrees that we should change the ordinance and should pick up the dumpsters as it is now. He knows that there has been issues with the dumpsters, illegal materials placed in them. said that the city should tagged the dumpsters and not picked up until the items are removed. Chair Uebbing said that he understands how complex the solid waste issue is and as a municipality, it is one of the most complex issues. He said it was never the intention to withdraw service. Chair Uebbing motioned to request the City Council to make a moratorium on these changes and revert to the processes back to picking up these dumpsters and asked to have no break in service for these communities. He encourages City workers to not pick up dumpsters that have illegal waste in them and asked the communities to police their dumpsters to ensure no illegal waste. Councilmember Unrath seconded, Chair Uebbing motion, (Councilmember Polimeni had to recuse herself as she is a property owner at Holiday Harbour). Prior to the completion of the vote, Chair Uebbing clarified it is for the two-condo communities in question only. Mr. Goodwin recommends changing the ordinance to reflect how we collect dumpsters for condominium communities, understanding that they will be treated as single family homes but questioned how 205 Lakeshore Drive should be treated. Chair Uebbing said that the Hotel Canandaigua will not have the space for the toters and will have to be treated separately. Chair Uebbing said they are grandfathering in these two long standing communities. The Mayor asked if a public hearing would be needed. Mr. Goodwin said that we could schedule a public hearing. Councilmember Lyon clarified the motion on the table (which will be brought before the whole Council at their next meeting), for Holiday Harbour and Brigham Hall will have a moratorium on the solid waste collection changes prior to January 1st and will until the new ordinance can be written. Before the vote, Chair Uebbing asked if there were people present that wish to speak. Claire Fisher, 57 Holiday Harbour spoke and thanked the Committee for what they are doing for the community, she said that they want the trash collection to continue. She reviewed the ordinance and the previously noted error on the language. She reviewed their tax status and reviewed the challenges they have had with illegal waste being left in their dumpster. Claudia Schaffer, President of Holiday Harbour spoke and said that she observed the dumpster collection, which only took 15 minutes to be picked up. They will police the illegal waste. She hopes that Council will continue the service. Emily Palumbos, from Brigham Hall spoke as well (there were some audio issues). Councilmember Sutton asked if the dumpsters have been fully inspected. City Manager said that they do not have the manpower to fully inspect all the dumpsters. Ms. Palumbos audio was restored and advocated for the service to be restored. They will work with their residents to be sure that no illegal waste be left in their dumpster, as they only have one. Bruce Lang, owner at Brigham Hall spoke, he is also the treasurer of the association and advocated for the service to be restored. Alice Hooker a resident of Brigham Hall discussed the differences between an apartment dweller versus condominium and she is hopeful that solid waste collection be restored. Chair Uebbing called for the voice vote, which was approved to move this onto the full Council. David Viggani, 29 Perry Place spoke after the vote and he had sent comments on solid waste issues to the full Council previously. He is speaking on behalf of families that are larger and will use more than a 64-gallon toter. He is opposed to having to pay extra for every toters that may be needed and feels large families are being punished for being larger. He has been holding back trash as he cannot fit everything in and is hoping

that Council will waive the fees for families of a larger size. Michael Yarger, owns mixed use buildings on Phoenix St. spoke, he was informed in September that his buildings would not receive trash collection. He reviewed the ordinance, seeing it was corrected, made arrangements for private collection. He said that in December when Council made the change to the ordinance to not picking up mixed use property with commercial use, and feels that all residents should have garbage pick up for all. He would appreciate a clarification on whether or not he qualified for service and would like to see notice placed. John Welch, asked to clarify the mixed use for his property on Main Street and continued discussion with Michael Yarger on clarifying mixed use commercial. Chair Uebbing said that the language can be cleaned up moving forward. Discussions on this will continue. Councilmember White said that the Environmental Meeting will have representatives from the County and Casella on the landfill and encourages those present and listening to attend, on Feb. 21st.

Chair Uebbing moved onto Volunteer Firefighter Tax Exemption. City Manager reviewed, in December 2022, Governor Hochul signed legislation that permits any local government to provide a real property tax exemption to volunteer firefighters and volunteer ambulance workers who have served a minimum of two years. Real Property Tax Law §466-a allows for an exemption of up to 10% of the assessed value of the primary residence. In order to authorize such an exemption, a municipality must opt-in via the adoption of a local law. The exemption applies only to the tax levy of the unit of local government that opts in. Specifically for the City's levy, in order for the exemption to be greater than the New York State Income Tax Credit of \$200, a volunteer firefighter or ambulance worker would need to live in a residence valued at \$260,785. City Manager said that it is unlikely that we have anyone who meets these criteria but is welcome to having Chief come and speak to this. Chair Uebbing said that we could move on this once someone meets the criteria. Councilmember Sutton asked that this goes through the Ordinance Committee as it may require a local law. City Manager said that there is language provided by NYCOM. Councilmember Unrath motioned that the finance committee supports this and refers it to the Ordinance committee for their review seconded by Councilmember Polimeni. Unanimously passed and carried.

Councilmember Polimeni motioned to close the meeting, seconded by Councilmember Unrath, unanimously passed and carried. Meeting adjourned at 8:51 pm.