

**A. CONVOCAATION:**

1. The Canadice Town Board Meeting was held on January 13, 2020 at 7:30 pm at the Canadice Town Hall.

2. Roll call showed the following-

Present: Supervisor Kristine Singer  
Councilman John O'Connor  
Councilman Mark Statt  
Councilman Mark Malmendier  
Councilman Teryl Gronwall

Others Present: Six (6) guests/residents attended the Regular Town Board Meeting.

3. Salute to the Flag.

4. Approval of December 9, 2019 Regular Meeting Minutes-

Note: Minutes of the preceding meeting shall be approved without being read, unless the reading thereof is called for by a Member of this Board - the minutes are available for review at the Office of the Town Clerk.

Councilman O'Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to approve the minutes of the December 9, 2019 Regular Town Board Meeting.

APPROVED Ayes 5 Singer, O'Connor, Statt, Malmendier, Gronwall  
Nays 0

**B. ORGANIZATIONAL MEETING:**

1. Review Organizational Items

a. Time And Place For Regular Town Board Meetings:

Second Monday each month at 7:30 pm  
Canadice Town Hall, 5949 County Rd #37

b. Official Newspaper:

Daily Messenger, Canandaigua, NY

c. Official Bank:

Supervisor- Canandaigua National Bank  
Town Clerk/Tax Collector- Canandaigua National Bank  
Town Justices- Canandaigua National Bank

d. Alternate Person Authorized To Sign Town Checks:

Supervisor- Councilman John O'Connor  
Town Clerk/Tax Collector- Diane Horning  
Town Justices- None

e. Appointments By The Town Board:

Attorney for the Town- Sheila Chalifoux.  
Registrar of Vital Statistics- Eileen Schaefer  
Health Officer- Mary Beer, RN, MPN  
Dog Control Officer- Ontario County Humane Society

- Code Enforcement Officer- Stephen Smith
- Deputy Code Enforcement Officer- Richard Joki
- Records Management Officer- Eileen Schaefer
- Planning Board Chairperson- Theodore Mayhood
- Zoning Board of Appeals Chairperson- Linda Moorhouse
- Assessment Review Board Chairperson- Chosen by BAR each year
- Representative to County Planning Board- Stephen Groet
- Representative to Honeoye Lake Watershed Taskforce– Councilman Teryl Gronwall

f. Appointments To Be Made By Town Officers:

1. By Supervisor:

- Deputy Supervisor- Councilman John O’Connor
- Historian- Margaret Bott
- Deputy Historian- David Bott
- Budget Officer- Kristine Singer
- Bookkeeper to the Supervisor- Dorothy Huber

2. By Town Clerk/Tax Collector:

- Deputy Town Clerk- Diane Horning
- Deputy Tax Collector- Diane Horning
- Deputy Records Management Officer- Vacant

3. By Highway Superintendent:

- Deputy Highway Superintendent- Vacant

4. By Registrar of Vital Statistics:

- Deputy Registrar- Diane Horning

g. Petty Cash Funds:

- Town Clerk- \$100.00
- Chairman Planning Board- \$50.00
- Tax Collector- \$50.00
- Town Justices- \$200.00

h. Procedure For Paying Bills:

Upon approval of warrant by majority of the Town Board; except for payroll, utility bills, and monthly operating expenses to avoid assessment of late fees which may be paid as presented.

i. Mileage:

For Official Town Business- Set Mileage Reimbursement Rate for 2020. IRS Business Allowance for 2020 is \$.575 per mile, 2019 IRS rate was \$.58/mile, 2019 Town rate was \$.50/mile. The Board decided to keep the mileage rate for 2020 at \$.50 cents per mile.

j. Salary Schedule- (As established by the adoption of the 2020 Budget)

Four Councilmembers	\$2,750.00 each per year
	\$11,000.00 total
Two Justices	\$9,200.00 each per year
	\$18,400.00 total
Supervisor	\$14,000.00 annual
Highway Superintendent	\$64,430.00 annual
Deputy Highway Superintendent	\$3,954.00 annual



Public Hearings, of the Canadice Municipal Code with the adoption of said code September 9, 1996

WHEREAS, this Board annually reviews said policy; and

WHEREAS, this Board after due deliberation agrees the following additional rules are adopted by this resolution for the year 2020:

1. Every resolution or motion must be seconded before being put to vote by the Supervisor, and all resolutions or motions shall be recorded in their entirety in the official minutes of the Town Board.
2. The Supervisor may offer or second a resolution or a motion and need not relinquish the chair for such purpose.
3. No motion or resolution may be brought to a vote except by the majority consent of those present, unless typewritten copies are presented to each member of the Board 48 hours prior to the opening of the meeting at which such motion or resolution is offered.
4. No motion shall be made to offer any amendment to an amendment already before the Board on any proposition.
5. No member of the public shall engage in any demonstration, booing, hand clapping or otherwise disrupt the formality of a Town Board Meeting.
6. Any person speaking to the Town Board, with the consent of the Supervisor, shall address their remarks to the Town Board not to other members of the audience in the form of a debate.
7. A majority vote of all members of the Board shall be required to suspend these rules of order. A majority of the Board shall constitute a quorum.
8. If the above stated rules are or become at any time in conflict with the statutory law, the statutory law shall take precedence.

now, therefore, be it

RESOLVED that the preceding Rules of Procedure and Order be and are hereby adopted for the year 2020 pursuant to §63 of the Town Law; be it further

RESOLVED, that the Clerk of this Board send certified copies of this resolution to the Secretary of each Appointed Board, the Highway Superintendent and retain a copy for the official records.

**4. Resolution Number 3 of 2020 – Request To Be Included In Ontario County Highway Supply Bids For 2020**

Councilman O’Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to approve the resolution.

APPROVED                      Ayes 5                      Singer, O’Connor, Statt, Malmendier, Gronwall

Nays 0

WHEREAS, it is required by New York State Department of Audit and Control that documentation be on file to substantiate the fact that the Town of Canadice will be purchasing commodities within the bidding statutes of New York State; now, therefore, be it

RESOLVED, that the Town of Canadice desires to utilize Ontario County bids for the purchase of certain Highway supplies during the year 2020; and, be it further

RESOLVED, that the Clerk of this Board send a certified copy of this resolution to the Ontario County Purchasing Director, Ontario County Purchasing Department and Jeremy Fraim, Canadice Highway Superintendent.

**5. Resolution Number 4 of 2020 - Request To Be Included In Livingston County Highway Supply Bids**

For 2020

Councilman O’Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to approve the resolution.

APPROVED           Ayes 5           Singer, O’Connor, Statt, Malmendier, Gronwall  
                          Nays 0

WHEREAS, it is required by New York State Department of Audit and Control that documentation be on file to substantiate the fact that the Town of Canadice will be purchasing commodities within the bidding statutes of New York State; now, therefore, be it

RESOLVED, that the Town of Canadice desires to utilize Livingston County bids with vendor approval for the purchase of certain Highway supplies during the year 2020; and, be it further

RESOLVED, that the Clerk of this Board send a certified copy of this resolution to the Livingston County Purchasing Director, Livingston Purchasing Department and Jeremy Fraim, Canadice Highway Superintendent.

6. Distribution of Current Fee Schedule for Review (Revisions to be done at the February meeting)

7. Distribution of Current Policies for Review (Discussed at the February meeting.)

8. Audits of Department Books will be scheduled and approved as completed: Justices, Town Clerk/Tax Collector, and Budget Officer.

**C. PRIVILEGE OF THE FLOOR:** There was no one to be heard.

**D. EXECUTIVE SESSION:**

1. This executive session did not take place.

**E. COMMUNICATIONS:**

Note: Communications are filed with the Town Clerk. Discussion on any item may be called for by any Member of this Board.

**F. REPORTS:**

1. Town Clerk/Tax Collector- Mrs. Eileen Schaefer.

    a. The financial report for the Town Clerk/Tax Collector for the month of December and annual report for 2019 were submitted (see T. C. file).

Councilman Gronwall motioned, Councilman Statt seconded, and it was unanimously carried to accept the Town Clerk/Tax Collector’s reports.

APPROVED           Ayes 5           Singer, O’Connor, Statt, Malmendier, Gronwall  
                          Nays 0

2. Historian- Mrs. Margaret Bott.

    a. No report.

3. Code Enforcement Officer- Mr. Stephen Smith.

- a. The written report for the month of December, the annual reports for permits and violations for 2019 were all submitted (see T. C. file).
  - b. A pole barn has been constructed on the Palmatier property. The permit has not been closed out yet.
4. Planning Board- Mr. Theodore Mayhood.
- a. Draft minutes were submitted to the Town Board (no public hearing) (see T. C. file).
  - b. The research group organized to explore possible rental property regulations has started meeting.
5. Zoning Board of Appeals- Mrs. Linda Moorhouse.
- a. Minutes were submitted to the Town Board (see T.C. file).
6. Highway Superintendent- Mr. Jeremy Fraim.
- a. The written report for the month of December was submitted (see T. C. file).
  - b. Sixteen plow/salt runs since the last Town Board meeting with some minor snow events of one to three inches.
  - c. A vehicle went off the road on Canadice Lake Road south of Johnson Hill Road and took out the 45-mph speed-limit sign. The sign has been replaced and both the driver of the accident and her insurance company were notified of the cost of the damages.
  - d. The cross culvert for Johnson Hill Road at Canadice Lake Road is collapsing and has caused a dip in the road surface. It will be replaced in the spring as part of a road reconstruction project.
  - e. Councilman Malmendier indicated the tree work that Asplundh is doing includes both Canadice Lake Rd and Purcell Hill Rd for National Grid. The DEC and the City are participating and marking trees.
7. Honeoye Lake Watershed Research Task Force- Councilman Gronwall.
- a. The written report for the month of December was submitted (see T.C. file).
  - b. As of January 7<sup>th</sup> Honeoye Lake is not ice covered.
  - c. The WQIP grant request was not awarded last December. OCSWCD is trying to find out from the DEC WQIP Planning Grant coordinator the reason why it wasn't awarded.
  - d. The WQIP Planning Grant application (\$30K) for an aeration destratification system was awarded last December. The next step is to write an Ontario County RFP to select an appropriate lake management consultant to perform this work.
8. Assessor- Mrs. Lisa M. Bennett
- a. No report.
9. Water District Project –
- a. Water District Progress meeting minutes December 12, 2019 submitted.
  - b. Water District Progress meeting minutes January 3, 2020 submitted.
  - c. SWPPP Inspection Report December 6, 2019 submitted.
  - d. SWPPP Inspection Report January 3, 2020 submitted.
  - e. **Resolution Number 5 of 2020** – Authorization To Execute Contract Amendments #4 & #5 For Services Provided By LaBella Associates, D.P.C. Pertaining To The Construction Of Water District No. 1

Councilman Malmendier motioned, Councilman Gronwall seconded, and it was unanimously carried to approve the resolution.

APPROVED           Ayes 5           Singer, O’Connor, Statt, Malmendier, Gronwall  
                          Nays 0

WHEREAS, this Board is currently pursuing the construction of Water District No. 1 along the County Road 36 corridor within the Town; and

WHEREAS, a referendum was presented to those within the district on August 20, 2011 and approved by the voters; and

WHEREAS, LaBella Associates, D.P.C has provided services regarding the preparation of the Map, Plan and Report and associated services after the referendum passed to advance the project to the point of receiving funding and in anticipation of construction oversight; and

WHEREAS, partial funding was obtained from Rural Development and this Board entered into an agreement with LaBella Associates, D.P.C. for the administration of those funds; and

WHEREAS, additional funding was obtained in the form of grant funds from the Environmental Facilities Corporation; and

WHEREAS, there are significant requirements and procedures to be followed to access these funds to complete this project; and

WHEREAS, this Board retained LaBella Associates, D.P.C. for engineering services on this project with Resolution Number 35 of 2014; and

WHEREAS, this Board also entered into an agreement with LaBella Associates, D.P.C. for Grant Management Services with Resolution Number 19 of 2018 for the project; and

WHEREAS, construction began on the District with the Order To Proceed issued on May 9, 2018; and

WHEREAS, the project has encountered construction delays and will require services to continue beyond the time stated in the original agreements and those approved with Agreement Amendments 1, 2 & 3; and

WHEREAS, LaBella Associates, D.P.C. has provided contract amendments to enable continuation of the services required to bring the project to completion; now, therefore,

be it

RESOLVED, that this Board authorizes the Supervisor to execute contract amendments #4 & #5 with LaBella Associates, D.P.C. for services pertaining to the construction of Canadice Water District #1; and, be it further

RESOLVED, that the Clerk of this Board send certified copies of this resolution to Mr. Michael Schaffron and Ms. Kathleen Dear both of LaBella Associates, D.P.C. and retain a copy in the records of the Town.

f. Councilman Malmendier indicated the valve vault is set at the tank site; lines to the tank and the main are installed. All of the heavy lifting at the pump station is done and should be functional by the end of the month. Remaining to be done – place the chemical building at the tank site, electrician needs to run wiring, install panels for electrical equipment, remaining services to install 20 to 25. Flushing and sanitizing still needs to take place.

10. Supervisor- Ms. Kristine Singer.

a. The financial report for the month of December was submitted (see T.C. file).

Councilman Statt motioned, Councilman Gronwall seconded, and it was carried to accept the Supervisor’s report.

APPROVED           Ayes 4           O’Connor, Statt, Malmendier, Gronwall  
                           Abstain 1       Singer  
                           Nays 0

**b. Resolution Number 6 of 2020 – 2019 Budget Modifications**

Councilman Malmendier motioned, Councilman O’Connor seconded, and it was unanimously carried to approve the resolution.

APPROVED           Ayes 5           Singer, O’Connor, Statt, Malmendier, Gronwall  
                           Nays 0

WHEREAS, the Budget Officer has received funds for sales of equipment that was not budgeted for; and WHEREAS, there are appropriation lines that have exceeded budgeted amounts within the highway budget; now, therefore, be it

RESOLVED, that this Board directs the Budget Officer to make the following 2019 budget modifications:

Revenues

Increase DA2665, Equipment Sales by \$20,000.00

Expenditures

Increase DA5142.4, Snow Removal – Contractual by \$20,000.00

**c. Budget Transfers:**

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
A1990.4	A1410.1	\$ .12	Expenditures greater than budgeted amount.
A1990.4	A1410.4	\$ 393.96	Expenditures greater than budgeted amount.
A1990.4	A1430.4	\$ 99.88	Expenditures greater than budgeted amount.
A1990.4	A1620.4	\$ 318.88	Expenditures greater than budgeted amount.
A1990.4	A3310.4	\$ 13.95	Expenditures greater than budgeted amount.
A1990.4	A5010.1	\$ .08	Expenditures greater than budgeted amount.
A1990.4	A8664.1	\$ .05	Expenditures greater than budgeted amount.
DA5112.1	DA5110.1	\$ 4,000.00	Expenditures greater than budgeted amount.
DA5112.1	DA5130.1	\$ 8,000.00	Expenditures greater than budgeted amount.
DA5130.4	DA5142.41	\$ 2,674.46	Expenditures greater than budgeted amount.

Councilman Gronwall motioned, Councilman Statt seconded, and it was unanimously carried to approve the budget transfers.

APPROVED           Ayes 5           Singer, O’Connor, Statt, Malmendier, Gronwall  
                           Nays 0

**G. UNFINISHED BUSINESS:**

1. No unfinished business to discuss.

**H. NEW BUSINESS:**

**1. Resolution Number 7 of 2020 – Authorization To Execute Highway Superintendent Software Support Contract With Williamson Law Book Company**

Councilman O’Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to approve the resolution.



APPROVED           Ayes 5           Singer, O’Connor, Statt, Malmendier, Gronwall  
                          Nays 0

WHEREAS, this Board purchased the Highway Superintendent Software Program from Williamson Law Book Company in 2007; and

WHEREAS, the software support is an annual renewable contract at a rate of \$503.00 for 2020; and

WHEREAS, the Budget Officer recommends the contract be purchased; now, therefore, be it RESOLVED, that this Board authorizes the Supervisor to execute said contract and remit the contract fee to Williamson Law Book Company; and, be it further

RESOLVED, that the Clerk of this Board send a certified copy of this resolution, the contract fee, and the executed contract to Williamson Law Book Company and retain a copy of same in the Town files.

**2. Resolution Number 8 of 2020 – Authorization To Execute Payroll Software Support Contract With Williamson Law Book Company**

Councilman O’Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to approve the resolution.

APPROVED           Ayes 5           Singer, O’Connor, Statt, Malmendier, Gronwall  
                          Nays 0

WHEREAS, this Board purchased the Payroll Software Program from Williamson Law Book Company in 2012; and

WHEREAS, the software support is an annual renewable contract at a rate of \$917.00 for 2020; and

WHEREAS, the Budget Officer recommends the contract be purchased; now, therefore, be it RESOLVED, that this Board authorizes the Supervisor to execute said contract and remit the contract fee to Williamson Law Book Company; and, be it further

RESOLVED, That the Clerk of this Board send a certified copy of this resolution, the contract fee and the executed contract to Williamson Law Book Company and retain a copy of same in the Town files.

**3. Resolution Number 9 of 2020 – Authorization To Execute TPA Clearing House Contract With Healthworks**

Councilman Statt motioned, Councilman Gronwall seconded, and it was unanimously carried to approve the resolution.

APPROVED           Ayes 5           Singer, O’Connor, Statt, Malmendier, Gronwall  
                          Nays 0

WHEREAS, the Federal Motor Carrier Safety Administration has established the Drug and Alcohol Clearinghouse the applies to CDL drivers; and

WHEREAS, at a minimum an annual query must be administered through the Clearinghouse in conjunction with the random pool for those operating commercial vehicles; and

WHEREAS, there may be other inquiries needed during the year based on employment, suspicion or an MVA; and

WHEREAS, Healthworks currently administers the testing and reporting for the required Ontario County pool for drug and alcohol testing of which we are included; and

WHEREAS, this Board agrees that it is in the best interest of the Town to have Healthworks administer this additional requirement to ensure we are in compliance with the law; and

WHEREAS, Healthworks is offering to administer the queries at a flat rate of \$1.25 per query if purchased in

advance in bundles; now therefore, be it

RESOLVED, that this Board gives authorization for the execution of the TPA agreement and purchasing a bundle of 10 queries for 2020; and, be it further

RESOLVED, that the Clerk of this Board a certified copy of this resolution to Healthworks along with the signed agreement and payment for the query bundle and retain a copy of said agreement in the files.

**4. Resolution Number 10 of 2020 – Authorization To Execute Maintenance Service Contract With TiSales For Water District No. 1 Equipment**

Councilman Malmendier motioned, Councilman O’Connor seconded, and it was unanimously carried to approve the resolution.

APPROVED                   Ayes 5                   Singer, O’Connor, Statt, Malmendier, Gronwall  
  Nays 0

WHEREAS, this Board is currently constructing Canadice Water District No. 1 along the County Road 36 corridor; and

WHEREAS, metering and meter reading equipment was purchase in 2019 for water district operations; and

WHEREAS, TiSales has submitted an extended maintenance contract for the next year for a cost of \$412.10; and

WHEREAS, it is in the best interest of the District to maintain a service contract for the electronic reading equipment; now, therefore, be it

RESOLVED, that this Board gives the Supervisor authorization to execute the maintenance contract and a payment in the sum of \$412.10 be sent to TiSales; and, be it further

RESOLVED, that the Clerk of this Board send a signed copy of the agreement along with a certified copy of this resolution to TiSales; and, be it further

RESOLVED, that the Clerk retain a copy of said agreement for the Towns’ records.

**5. Resolution Number 11 of 2020 – Authorization To Accept Proposal For Financing Of The 2020 Mack Truck**

Councilman Statt motioned, Councilman Gronwall seconded, and it was unanimously carried to approve the resolution.

APPROVED                   Ayes 5                   Singer, O’Connor, Statt, Malmendier, Gronwall  
  Nays 0

WHEREAS, this Board established an Equipment Purchase & Replacement Schedule in order to maintain the efficient and cost-effective operation of the Canadice Highway Department; and

WHEREAS, in accordance with said schedule, the Town purchased a 2017 Mack 10-wheel truck that didn’t perform as anticipated; and

WHEREAS, Mack solicited a bid for the 2017 Mack from a Town that didn’t have the steep grades that posed a problem for the truck; and

WHEREAS, this Board accepted the bid from the Town of Caledonia and proceeded with the purchase of a 2020 10-wheel truck; and

WHEREAS, the Highway Superintendent solicited quotes for the financing of the truck; and

WHEREAS, this Board has reviewed the proposals from Real Lease and Beam Mack; and

WHEREAS, this Board agrees that the proposal from Real Lease consisting of four annual payments in the amount of \$49,092.00 each is within our approved equipment replacement budget; now, therefore, be it

RESOLVED, this Board authorizes the Supervisor to execute the proposal acceptance with Real Lease to fund the purchase of said truck; and be it further

RESOLVED, that the Clerk of this Board send a copy of this resolution to Jeremy Fraim, Highway Superintendent and Real Lease with the executed acceptance and retain a copy of each for the Town.

6. 2020 Payroll Schedule Distributed.

7. 2020 Town Board Meeting Schedule Distributed.

8. Mr. Mike Virgil presented the information from the bids for the equipment storage shed that were opened with Highway Superintendent Fraim and the Town Clerk. After some discussion it was decided that Aquino will be awarded the bid. Supervisor Singer will prepare a resolution for the next board meeting.

9. Approval of the Bills –

Councilman O’Connor motioned, Councilman Malmendier seconded, and it was unanimously carried that the bills are to be paid in the following amounts:

ABSTRACT #13 for 2019-

	Voucher	
General/Highway/Water Accounts #561 to #617		\$ 142,433.61
Trust & Agency #16		\$ 359.72

APPROVED            Ayes 5                    Singer, O’Connor, Statt, Malmendier, Gronwall  
                             Nays 0

ABSTRACT #1 for 2020-

	Voucher	
General/Highway/Water Accounts #1 to #18		\$ 108,310.69
Trust & Agency #1		\$ 9,023.33

APPROVED            Ayes 5                    Singer, O’Connor, Statt, Malmendier, Gronwall  
                             Nays 0

**I. PRIVILEGE OF THE FLOOR:**

1. There was no one to be heard.

**J. EXECUTIVE SESSION:** Pending Litigation

Councilman O’Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to move to executive session at 8:43 pm to discuss pending litigation.

APPROVED            Ayes 5                    Singer, O’Connor, Statt, Malmendier, Gronwall  
                             Nays 0

Councilman O’Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to

close the executive session with no action taken and resume the meeting at 9:10 pm.

APPROVED           Ayes 5           Singer, O'Connor, Statt, Malmendier, Gronwall  
                          Nays 0

**K. ADJOURNMENT:**

Councilman O'Connor motioned, Councilman Statt seconded, and it was unanimously carried to adjourn the meeting at 9:11 pm.

APPROVED           Ayes 5           Singer, O'Connor, Statt, Malmendier, Gronwall  
                          Nays 0

Respectfully submitted, \_\_\_\_\_ Eileen Schaefer, Town Clerk