

A. CONVOCAATION:

1. The Canadice Town Board Meeting was held on February 11, 2019 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: Eight (8) guests/residents attended the Regular Town Board Meeting.

3. Salute to the Flag.

4. Approval of January 14, 2019 Organizational/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 Malmendier motioned, Councilman O’Connor seconded, and it was unanimously carried to approve the minutes of the January 14, 2019 Organizational/Regular Town Board Meeting.

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

B. RECONVENE PUBLIC HEARING:

To Entertain Comments Pertaining to the Adoption of Local Law Number 5 (intro) of 2018 Entitled: Amending Chapter 120, Zoning, Article IX, Special Use Permit Procedures and Criteria, Adding Section 210-107, Solar Energy Systems, to the Town of Canadice Town Code

*Supervisor Singer temporarily reconvened the public hearing. The Town Attorney supplied some additional comments/questions directed mainly towards large scale projects.

* Are the set-backs for accessory structures sufficient?

*Included in the letter of credit requirement- should be more specific with regards to restoration and disposal.

*The Town should specify as a requirement in the letter of credit that they get notified of auto-renewals and at any time there is a notice sent for non-renewal or cancellation

*Concerned the requirements for aesthetics and visual impact are subjective for the PB members.

*Can property that is designated a PDR or has a conservation easement be included?

Once these items have been reviewed by the Planning Board, any changes will be implemented and then sent to Ontario County Planning.

Councilman Statt motioned, Councilman Gronwall seconded, and it was unanimously carried to recess the public hearing.

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

C. PRIVILEGE OF THE FLOOR:

1. Betsy and Don Shaw addressed the Board regarding their car being towed and requested reimbursement of \$240 for the towing charge. Mrs. Shaw indicated within a half an hour she took her car to the area and they were unable to pull Mr. Shaw’s car out. The Sherriff’s office should have been called to find out the owner of the vehicle. The tracks from their house to the vehicle would have indicated the owners. A half an hour to get their tractor out and back to the car was not enough time.

*Councilman O’Connor had the same situation happen to him and he had to pay for the towing charge.

*Superintendent Virgil commented he did not do this to intentionally harm them; he was not aware of the owner and would have called them if he had known the owner.

*Councilman O’Connor disagreed that Superintendent Virgil caused the expense; the driver of the vehicle caused the expense. The Highway Superintendent is not responsible to sit with the vehicle. The road needs to be cleared.

*Supervisor Singer is not in favor of reimbursement.

*Councilman Malmendier doesn’t agree with reimbursing the towing charge.

2. Mr. Mike Hobbs, Sales Manager from Beam Mack, attended the meeting to discuss possible options to deal with the 2017 Beam Mack truck the Town has had issues with for over a year. Many tests were administered, and the findings did not result in any problem they could repair. Mr. Hobbs indicated the truck does have issues on the hills in Canadice. Beam Mack is willing to work with Superintendent Virgil and the Canadice Town Board to find a resolution for this issue. After further discussion the Board felt it was acceptable for Mr. Hobbs and Superintendent Virgil to work something out and come back with a proposal as opposed to any litigation. Mr. Hobbs thanked the Board for their time.

D. COMMUNICATIONS:

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

E. REPORTS:

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

a. The financial report for the Town Clerk/Tax Collector for the month of January was submitted (see T. C. file).

b. The remaining warrant payment has been disbursed to Supervisor Singer of \$538,494.86 and a payment of \$500,000 will be sent to the Ontario County Treasurer this week.

Councilman O’Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to accept the Town Clerk/Tax Collector’s report.

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 January was submitted (see T. C. file).

4. Planning Board- Mr. Theodore Mayhood.
 - a. Draft minutes were submitted to the Town Board (see T. C. file).
 - b. The subdivision application for Scherberger/Gordon was given conditional approval.
 - c. A topic of concern discussed was the use of signs around Town.
5. Zoning Board of Appeals- Mrs. Linda Moorhouse.
 - a. No meeting held in January.
6. Highway Superintendent- Mr. Mike Virgil.
 - a. The written report for the month of January was submitted (see T. C. file).
 - b. There were high winds February 8th resulting in several trees down around Town.
 - c. Icing events took place on January 23rd and February 7th.
 - d. There were 18 salt/plow runs since the last meeting compared to 28 the same time last year.
 - e. Received the Grant Disbursement Agreement to complete and send back to DASNY for the Equipment Storage Facility funding.
 - f. Received the check for our truck from Auctions International.
7. Honeoye Lake Watershed Research Task Force- Councilman Gronwall.
 - a. The written report for the month of January was submitted (see T.C. file).
 - b. A meeting was held January 24th. Reviewed and approved 2019 HLWTF project plans. Draft meeting minutes have been released and posted on the Town website.
 - c. The HLWTF January 2019 Newsletter was released on January 29th and posted on the Town website.
 - d. DEC released the TMDL report. There were no surprises. They held a public meeting and over 100 residents attended. DEC agreed with the HLWTF assessment and recommendations. DEC has contracted with Princeton Hydro, a certified lake management consultant, to do a feasibility study of using an Alum Treatment and/or an Aeration System for Honeoye Lake In-Waterbody Nutrient Inactivation.
8. Assessor- Mrs. Lisa M. Bennett
 - a. The written report for the month of January was submitted (see T.C. file).
9. Special Reports:
 - a. Water District – There was discussion regarding some erosion issues that came up.
10. Supervisor- Ms. Kristine Singer.
 - a. The financial report for the month of January and February will be submitted at the next meeting.

F. UNFINISHED BUSINESS:

1. **Resolution Number 15 of 2019** – Authorization To Purchase Printer/Copier/Scanner/Fax Combination For Court Facility From Toshiba

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 lease for the combination printer in the court facility expires February 2019; and
 WHEREAS, the Bookkeeper, Dodie Huber, obtained quotes to enter into a new lease for a replacement and to purchase a new machine; and
 WHEREAS, after reviewing the use of the printer in the court facility, it would be more cost effective to purchase a machine instead of a lease agreement that contains charges for usage way beyond what is needed as documented by quarterly usage counts; and
 WHEREAS, based on the required needs, it is recommended that the quote from Toshiba be approved for a Lexmark XM1246 in the amount of \$1235.00 for the court facility; and
 WHEREAS, the support contract would be \$21.12 per month that includes all parts, labor, travel for repairs and service and consumable supplies for the printer; and
 WHEREAS, funds are available to purchase the printer and support contract due to budgeting for the prior lease/support contract costs; now, therefore, be it
 RESOLVED, that this Board authorizes the Supervisor/Budget Officer to execute any purchase agreement required for said equipment; and, be it further
 RESOLVED, that the Clerk of this Board provide a certified copy of this resolution to include with the executed purchase agreement.

2. Resolution Number 16 of 2019 - Authorization To Execute DASNY Grantee Questionnaire Regarding The Pending Grant For The Highway Facility Improvements
 Councilman Malmendier motioned, Councilman Statt seconded, and it was unanimously carried to approve the resolution.

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

WHEREAS, the Highway Superintendent applied for a grant from the Dormitory Authority of the State of New York (DASNY) for improvements to the Highway Facility; and
 WHEREAS, said grant has received Senate Finance approval; and
 WHEREAS, a Grantee Questionnaire has been completed by the Highway Superintendent that requires the signatures of two authorized officers; now, therefore, be it
 RESOLVED, that this Board authorizes the Town Supervisor and Deputy Town Supervisor to sign the Grantee Questionnaire; and, be it further
 RESOLVED, that the Town Clerk of this Board provide certified copies of this resolution to Town Supervisor, Kristine Singer and Highway Superintendent, Mike Virgil.

G. NEW BUSINESS:

1. Resolution Number 17 of 2019 – Adoption Of Ontario County Multi-Jurisdictional All Hazard Mitigation Plan
 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, the Town of Canadice, with the assistance of Ontario County and the Genesee Finger Lakes Regional Planning Council, has gathered information, prepared and updated the Ontario County Multi-

Jurisdictional All Hazard Mitigation Plan; and

WHEREAS, said plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town of Canadice has reviewed said plan and affirms that it will be updated no less than every five years; now, therefore, be it

RESOLVED, that the Town of Canadice adopts the Ontario County Multi-Jurisdictional All Hazard Mitigation Plan, last updated July of 2018, as this jurisdiction’s Natural Hazard Mitigation Plan; and, be it further

RESOLVED, that the Town Clerk of this Board send a certified copy of this resolution to Timothy Jensen at the Ontario County Planning Department.

2. Resolution Number 18 of 2019 – Authorization To Execute Retainer Agreement With Chalifoux Law, PC As Legal Counsel For The Town Of Canadice

Councilman Statt 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 retained Chalifoux Law, PC in July of 2015 as their legal counsel; and

WHEREAS, it was necessary for Sheila Chalifoux, Esq. to temporarily suspend her representation of Canadice; and

WHEREAS, during her absence this Board contracted with Riley and Graff for any legal matters; and

WHEREAS, Chalifoux Law, PC has resumed practicing and this Board wishes to re-engage Chalifoux Law, PC as attorney for the Town for all matters except those required by Canadice concerning the construction of Water District No. 1 for which Riley and Graff will continue their representation; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to execute a retainer agreement with Chalifoux Law, PC; and, be it further

RESOLVED, that the Town Clerk of this Board send certified copies of this resolution to Sheila Chalifoux of Chalifoux Law, PC with executed copies of the retainer agreement, Town Supervisor Kristine Singer and retain a copy in the permanent files of the Town.

3. Resolution Number 19 of 2019 - Opposing The Reduction Of Aid And Incentives To Municipalities (Aim) Contained In The Governor’s Budget Proposal

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

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

WHEREAS, the Governor’s 2020 budget proposal includes the discontinuance of the Aid and Incentives to Municipalities (AIM) revenue sharing program to most municipalities in New York; and

WHEREAS, the elimination of this State support will negatively impact the municipalities that have been struggling to maintain services to their residents with the Tax Cap that was imposed by the State in 2012; and

WHEREAS, while municipalities have worked diligently to control expenses, there are numerous expenses incurred (such as health care expenses) that do not maintain a cap on their increase that adversely impact the towns’ budgets; and

WHEREAS, the loss of any revenue is detrimental to the municipalities; now, therefore, be it

RESOLVED, that this Board hereby opposes any reduction to the Aid and Incentives to Municipalities (AIM) revenue sharing program; and, be it further

RESOLVED, that the Clerk of this Board shall forward copies of this resolution to Governor Andrew Cuomo; Senator Rich Funke; Senate Majority Leader Andrea Stewart Cousins; Senate Minority Leader John Flanagan; Assembly Minority Leader Brian Kolb and Assembly Majority Leader Crystal Peoples-Stokes.

4. Approval of the Bills –

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

ABSTRACT #2 for 2019-

| | | |
|-------------------------|------------|--------------|
| | Voucher | |
| General/Highway Account | #38 to #73 | \$247,127.33 |

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

H. PRIVILEGE OF THE FLOOR:

1. Councilman O’Connor mentioned the letter received from the Association of Towns printed on the 18th, mailed on the 22nd, received the 24th and we were supposed to contact our representatives by the 23rd regarding CHIPS funding. Not a very productive time-line.
2. Supervisor Singer mentioned the concern by the Highway Department employees with the phones issued to them- they are being disturbed by sales calls.
3. Councilman O’Connor mentioned his concern regarding some W2’s being hand-delivered instead of mailed by January 31st.

I. ADJOURNMENT:

Councilman O’Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to adjourn the meeting at 8:45pm.

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

Respectfully submitted, _____ Eileen Schaefer, Town Clerk