

A. CONVOCAATION:

1. The Canadice Town Board Meeting was held on April 10, 2023 at 7:30 pm at the Canadice Town Hall and Virtually via Zoom.

2. Roll call showed the following-

Present: Supervisor Christopher Vastola
Councilman Mark Statt
Councilman Teryl Gronwall
Councilwoman Kate Crowley

Absent: Councilman John O’Connor

Others Present: Eleven (11) guests/residents attended the Regular Town Board Meeting in person or virtually.

3. Salute to the Flag led by Michael Virgil.

4. Approval of March 13, 2023 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 Gronwall motioned, Councilwoman Crowley seconded, and it was unanimously carried to approve the minutes of the March 13, 2023 Regular Town Board Meeting.

APPROVED Ayes 4 Vastola, Statt, Gronwall, Crowley
Nays 0

B. PUBLIC HEARING:

1. **Resolution Number 20 of 2023** - Setting Date, Place And Time For A Public Hearing To Entertain Comments Pertaining To A Septic Placement Variance Request For 5626 Canadice Hollow Road
Councilman Statt motioned, Councilwoman Crowley seconded, and it was unanimously carried to approve the resolution.

APPROVED Ayes 4 Vastola, Statt, Gronwall, Crowley
Nays 0

WHEREAS, the Town of Canadice Municipal Code Chapter 92 contains the requirements for Septic Systems installed or repaired within the Town; and

WHEREAS, said code states that the Canadice Town Board of Health must review and approve any requested variances to these rules and regulations; and

WHEREAS, Mr. Joseph Miller, Canadice Code Enforcement Officer, has referred the plans for a system repair at 5626 Canadice Hollow Road for review and variance approval; and

WHEREAS, §92-8 C of the Canadice Municipal Code states that a public hearing is to be held with required legal postings; now, therefore, be it

RESOLVED, that this Board will conduct a public hearing to entertain comments pertaining to said variance request at 7:30 pm on May 8, 2023 at the Canadice Town Hall, 5949 County Road 37; and, be it further

RESOLVED, that the Clerk of this Board publish notice of said hearing in the official newspaper in

accordance with Town Law, a property sign will be issued by the CEO to the owner for posting in accordance with Chapter 92, §92-8 C and copies of this resolution will be sent to Lynn and Carolyn Gorton, 5626 Canadice Hollow Road, Springwater, NY 14560, Mr. William Grove of Grove Engineering, 8677 State Route 53, Naples, NY 14512 and Joseph Miller, Canadice Code Enforcement Office.

2. Public Hearing to Entertain Comments Pertaining to a Septic Placement Variance Request at 6600 South Old Bald Hill Road Springwater NY 14560.

Councilwoman Crowley motioned, Supervisor Vastola seconded, and it was unanimously carried to recess as the Canadice Town Board and convene as the Canadice Board of Health.

APPROVED Ayes 4 Vastola, Statt, Gronwall, Crowley
 Nays 0

*Supervisor Vastola asked if there were any comments from the audience in attendance or zoomed into the meeting.

*Erica Crane asked if the Board received the updated letter that was emailed and wanted to highlight some of their concerns which are listed in that recent letter. Supervisor Vastola indicated the letter that was sent a few hours ago was received and distributed to the Board. Supervisor Vastola mentioned no names were listed for those experts that were consulted. Erica Crane indicated the experts contacted thought it would be more appropriate for the CEO to contact them for information. Dr. Andre Marquis specified an engineer with New York State was contacted and Moravic Water Wells for opinions. NYS codes are listed in the letter to show how they feel this septic should not be approved. It was also questioned how many Board members have visited the site and if they are aware of the situation. A link was emailed with a video showing the flooding from that area for the Board to view.

*Dr. Andre Marquis wanted something in writing that they can put in a new septic ten years from now. Supervisor Vastola indicated that is why this process is in place to address any differences in requirements.

*It was asked for the video to be played during the meeting. Supervisor Vastola indicated the video would not be played at this time.

*Dr. Andre Marquis mentioned that Moravic can't even get their rig down the driveway to drill a well.

*Bill Grove was asked to speak to the concerns raised. He is aware of the regulations and the people that were contacted for opinions. After reading from the regulations, he addressed the distance concerns, and gradient concerns.

*Councilman Gronwall questioned if is it correct that several of the residents in that area have had their water tested showing pre-existing issues. It was confirmed several of the residents on South Old Bald Hill Road cannot use their water without any treatment system.

*Mr. Jensen questioned Bill Grove about the vent for the septic and if there will be fumes. Mr. Grove explained how the venting works. It's an aerobic system which is the same as fumes that come out of a roof vent on a house.

*Erica Crane questioned what the appeal process would be if the application is approved. Supervisor Vastola indicate he wasn't aware of what that process might be. Mr. Mike Virgil indicated it might be an Article 78 with the State.

*Councilman Gronwall has no more issues or questions regarding the application that is being discussed, but is concerned with the issues the whole neighborhood is experiencing and if they have a plan to address them.

*Erica Crane indicated they drilled another well and still did not have good water. They continue to use an expensive treatment system.

*Joan and Bob Cox indicated their property is always wet from the water table and several of the other neighboring properties deal with the same issues. The house the Johnson’s are building would also have to deal with the flooding issues.

Supervisor Vastola thank everyone for their comments and research.

(The letter from Dr. Andre Marquis and Mrs. Erica Crane submitted on file in the Town Clerk’s office)

a. **Resolution Number 21 of 2023** – Approving Septic Placement Variance For 6600 S Old Bald Hill Road Springwater, NY 14560.

Supervisor Vastola motioned, and it was unanimously carried by roll call vote to approve the resolution approving the septic placement variance - Less than 80 ft, 72 ft to the north property line and 16.5 to the east property line which is the right-of-way documented on the revised plan of April 7, 2023 that adds the numbers missing from the first drawings.

APPROVED BY ROLL CALL VOTE:

Councilman Gronwall Aye

Supervisor Vastola Aye

Councilman Statt Aye

Councilwoman Crowley Aye Understands the concerns the residents are expressing but feels the engineer had even taken a second look at the information to provide any necessary documentation for the Board to make an informed decision.

Nays 0

WHEREAS, the Town of Canadice Municipal Code Chapter 92 contains the requirements for Septic Systems installed or repaired within the Town; and

WHEREAS, said code states that the Canadice Town Board of Health must review and approve any requested variances to this regulation and these rules; and

WHEREAS, Mr. Joseph Miller, Canadice Code Enforcement Officer has referred the plans for a new system to be installed at 6600 South Old Bald Hill Road for review and variance approval or denial; and

WHEREAS, detailed construction plans for the new system were provided by the engineer, Mr. William Grove; and

WHEREAS, §92-8 C of the Canadice Municipal Code states that a public hearing is to be held with required legal postings;

WHEREAS, a Public Hearing was duly held on March 13, 2023 at the Canadice Town Hall at 7:30 pm, and all parties in attendance were permitted an opportunity to speak on behalf or in opposition to said variance, or any part thereof and the public hearing was recessed; and

WHEREAS, the Public Hearing was reconvened on April 10, 2023 at the Canadice Town Hall at 7:30 pm, and all parties in attendance again were permitted an opportunity to speak on behalf or in opposition to said variance, or any part thereof; and

WHEREAS, the Town Board convening as the Canadice Board of Health reviewed the submitted plans and after due deliberation, found the proposed system to meet or exceed state codes; now, therefore, be it RESOLVED, that this Board approves the installation of the system in accordance with the plans provided; and, be it further

RESOLVED, that the Clerk of this Board send certified copies of this resolution to, 6600 South Old Bald Hill Road, Springwater, NY 14560, Mr. William Grove of Grove Engineering, 8677 State Route 53, Naples, NY 14512 and Joseph Miller, Canadice Code Enforcement Officer.

Councilman Statt motioned, Councilman Gronwall seconded, and it was unanimously carried to close the public hearing and reconvene as the Canadice Town Board.

APPROVED Ayes 4 Vastola, Statt, Gronwall, Crowley
 Nays 0

C. PRIVILEGE OF THE FLOOR:

1. Supervisor Vastola had a meeting with Honeoye Rotary. There are eight performances scheduled for this summer. July 7 – August 25 and there are some new performers for 2023.

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- Eileen Schaefer.

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

*Tax Collection has ended at the town office with remaining unpaid tax bills turned over to the Ontario County Treasurer. A final report will be provided at the May meeting.

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

APPROVED Ayes 4 Vastola, Statt, Gronwall, Crowley
 Nays 0

2. Historian- Margaret Bott.

 a. No report.

3. Code Enforcement Officer- Joseph Miller.

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

4. Planning Board- Theodore Mayhood.

 a. Draft minutes were submitted to the Town Board (see T. C. file).

 b. No new applications, the application to combine two properties for Shaw’s is completed.

5. Zoning Board of Appeals- Linda Moorhouse.

 a. Minutes were submitted to the Town Board (see T. C. file).

6. Highway Superintendent- Jeremy Fraim.

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

 b. 15 full fleet plow/salt runs since the March Town Board meeting. Three additional trips made with one or two trucks for drifting snow.

 c. Applying cold patch in pot holes around town.

 d. Cutting brush and checking/cleaning out in front of culvert pipes.

e. The Ford Maverick that was ordered for the CEO office has been cancelled. Ford is not fulfilling any of the government sales of that vehicle. The Ford Escape is the only other option at this time.

7. Honeoye Lake Watershed Research Task Force- Councilman Gronwall.

- a. The written report for the month of March was submitted (see T.C. file).
- b. The annual roadside trash cleanup day is Saturday April 22. Details are on the Town website.
- c. The spring crappie fishing season has begun.

d. The Town of Richmond has been trapping beavers in the outlet channel and finalizing a long-term plan with DEC to remove shale from the outlet. In spite of the beavers and shale impeding the water flow the lake level normally drops an inch and a half a day. This week it has been dropping two inches or better each day.

8. Assessor- Lisa Bennett; Assessor Clerk- Holly Swingle.

- a. The written report for the month of March was submitted (see T.C. file).
- b. Supervisor Vastola indicated Lisa and Holly have been working many hours on the reassessment project for the Town.

9. Water District Operations –

- a. Rochester Water Authority Operations Report submitted (see T.C. file).

b. Councilwoman Crowley reported that the March total pumped was 72 gallons lower compared to last year in March even with the increased number of residents using the water system. The quarterly evaluation will be reported by the next meeting. CEO Miller indicated there were no frozen meters reported, but heard the City of Rochester had sent letters to people advising them to take their meter out over the winter months. Councilwoman Crowley will contact the City of Rochester Water Authority to find out if they did send out a memo. Antenna’s still need to be installed on some of the meters that are difficult to read.

10. Special Reports –

- a. No special reports.

11. Supervisor- Christopher Vastola.

a. Financial reports for the Board to review were passed out. Councilwoman Crowley asked if the documents that are being completed could be emailed to the Board. Supervisor Vastola indicated that will work well.

F. UNFINISHED BUSINESS:

1. Lawn/grounds/cemetery bid review.

Bids received from: Extreme Lawncare & Landscaping; Quality Hardscapes & Landscape; Greencare Services LLC.

After some discussion, Councilman Gronwall motioned; Supervisor Vastola seconded and it was unanimously approved to accept the bid from Quality Hardscapes & Landscape.

APPROVED Ayes 4 Vastola, Statt, Gronwall, Crowley
 Nays 0

2. No sidewalk bids have been received yet.

3. Due to the Ford Maverick order being cancelled, the old F250 could be used. The Ford Escape is another option. An electric vehicle would be double the purchase cost and it's a rear-wheel drive vehicle.

G. NEW BUSINESS:

1. Resolution Number 22 of 2023 – Acceptance Of The 2022 Justice Court Audit

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

APPROVED Ayes 4 Vastola, Statt, Gronwall, Crowley
 Nays 0

WHEREAS, the New York State Justice Court Administration requires an annual audit of the courts of local towns and villages; and

WHEREAS, the Town Board of the Town of Canadice is committed to ensuring compliance with State mandated requirements; and, therefore, be it

RESOLVED, that the Town Board hereby accepts the audit of the Justice Court for 2022 conducted on March 17, 2023; and, be it further

RESOLVED, that a copy of this audit, along with a certified copy of this resolution, be sent to the New York State Office of the Court Administration; and, be it further

RESOLVED, that a certified copy of this resolution along with a copy of the audits be sent to Honorable Russel Coon, Honorable Dale Schaefer, Justices for the Town of Canadice; and to Stephen Engard, Town of Canadice Court Clerk.

2. Resolution Number 23 of 2023 – Authorization To Purchase 10-Wheel Plow Truck

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

APPROVED Ayes 4 Vastola, Statt, Gronwall, Crowley
 Nays 0

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

WHEREAS, in accordance with said replacement schedule the Highway Superintendent solicited bids for a new 10-wheel plow truck; and

WHEREAS, the following bids for the truck, body and plow equipment were received:

Truck:

Tracey Road	Western Star-Manual Trans	\$149,000.00	
	Beam Mack	Mack – Manual Trans	\$171,271.10
	Utica General	Peterbuilt-Manual Trans	\$204,289.00

Equipment:

Viking-Cives	Plow, Sander, Body	\$107,310.00
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; And

WHEREAS, this Board and Jeremy Fraim, Highway Superintendent, have reviewed all bids; and

WHEREAS, this Board has determined that the bids from Tracey Road for the Western Star Truck with the

manual transmission for \$149,000 and from Viking-Cives for the body and plow equipment an amount not to exceed \$285,000.00 are within the limits of the approved equipment replacement plan; now, therefore, be it RESOLVED, this Board authorizes the Supervisor to execute all necessary documents for the purchase of the truck and equipment to be delivered in 2025 from the approved bids; and, be it further RESOLVED, that the Clerk of this Board send a certified copy of this resolution to Jeremy Fraim, Canadice Highway Superintendent and retain a copy in the Town records.

3. Resolution Number 24 of 2023 – 2023 Highway Budget Modifications

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

APPROVED Ayes 4 Vastola, Statt, Gronwall, Crowley
 Nays 0

WHEREAS, the Bookkeeper to the Budget Officer/Supervisor has determined there is insufficient funds remaining in the Highway fund Workman’s Comp and Debt Principal fund at **tentative closing of February**; and

WHEREAS, the Budget Officer has determined there is sufficient funds available in other insurance accounts, and the debt interest account to cover these expenses; now, therefore, be it RESOLVED, that this Board directs the Budget Officer to make the following 2023 budget modifications:

- Increase DA9040.8 Workers Compensation Insurance by \$76.02
- Increase DA9785.6 Debt principal-installment purchases by \$40.61

Expenditures

- Decrease DA9055.8 Disability Insurance by \$76.02
- Decrease DA9785.7 Debt Interest-Installment Purchases by \$40.61

And, be it further

RESOLVED, that the Clerk of this Board provide a certified copy of this resolution to the Town of Canadice Bookkeeper.

4. Resolution Number 24 of 2023 – 2023 Budget Modifications

Supervisor Vastola motioned, Councilwoman Crowley seconded, and it was unanimously carried to approve the resolution.

APPROVED Ayes 4 Vastola, Statt, Gronwall, Crowley
 Nays 0

WHEREAS, the Bookkeeper to the Budget Officer/Supervisor has determined there is insufficient funds remaining in the General Fund Assessor-Contractual and Attorney-Contractual due to significant cost increases at closing of February; and

WHEREAS, the original budget did not account for the increase in contractual work for the attorney and reassessment; and

WHEREAS, the Budget Officer has determined there is sufficient funds available in unappropriated fund balance to cover these expenses; now, therefore, be it

RESOLVED, that this Board directs the Budget Officer to make the following 2023 budget modifications:

- Increase A599 Appropriated Fund Balance by \$5444.46

Expenditures

- Increase A1355.4 Assessors-contractual- by \$973.35

Increase A1420.4 Attorney-Contractual by \$4471.11

And, be it further

RESOLVED, that the Clerk of this Board provide a certified copy of this resolution to Town of Canadice Bookkeeper.

5. Supervisor Vastola indicated the Federal Highway Administration has a Wildlife Crossing Pilot Program with \$111 million in funding opening up. Tom Harvey in County Planning may have more information.

6. Approval of the Bills –

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

ABSTRACT #4 for 2023-

		Voucher	
General/Highway/Water District #1		#122 to #157	\$ 63,508.54
Trust & Agency		#4 to #5	\$ 5,950.09
APPROVED	Ayes 4	Vastola, Statt, Gronwall, Crowley	
	Nays 0		

H. PRIVILEGE OF THE FLOOR:

1. Councilwoman Crowley sent a note to Rob Richardson to learn more about the clean energy community program and downloaded all of the town, cities and villages that have points accumulating. Our HVAC will provide points in that program towards grant funds in the future.

I. ADJOURNMENT:

Councilman Statt motioned, Supervisor Vastola seconded, and it was unanimously carried to adjourn the meeting at 8:36 pm.

APPROVED Ayes 4 Vastola, Statt, Gronwall, Crowley
 Nays 0

Respectfully submitted, _____ Eileen Schaefer, Town Clerk