

**A. CONVOCAATION:**

1. The Canadice Town Board Meeting was held on September 11, 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 O’Connor

Others Present: Eight (8) guests/residents attended the Regular Town Board Meeting in person or virtually.

3. Salute to the Flag led by David Macaluso from Hemlock Fire District and Supervisor Vastola asked for a moment of silence in remembrance of those that lost their lives on September 11, 2001.

4. Approval of August 14, 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, Statt seconded, and it was unanimously carried to approve the minutes of the August 14, 2023 Regular Town Board Meeting.

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

**B. PUBLIC HEARINGS**

1. Public Hearing to Entertain Comments for Fire Protection District Control Contracts for Fiscal Year 2024. Councilwoman Crowley motioned, Supervisor Vastola seconded, and it was unanimously carried to open the public hearing.

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

\*First Assistant Fire Chief David Macaluso indicated the Hemlock Fire Department has been very supportive of Canadice. With new members and future equipment purchases needed, any additional increases in the contract the Board could provide would be greatly appreciated. A proposed restructured fire district map with new boundaries has been drawn up. They are ready to submit the proposed map when the Canadice Town Board is ready to review it.

\*Councilman Gronwall and Councilwoman Crowley indicated further details are needed regarding the Richmond Fire Districts budget request. No one was in attendance to answer questions. More information is needed regarding their request. Councilman Gronwall will draft a letter with the Board’s questions for Supervisor Vastola to sign and send to the Richmond Fire District.

Supervisor Vastola motioned, Councilman Gronwall seconded, and it was unanimously carried to close the public hearing.

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

2. Public Hearing for Revision of Short-Term Rental Law to entertain comments.

Supervisor Vastola motioned, Councilman Statt seconded to open the public hearing for the Short-Term Rental Regulation amendments.

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

\*Planning Board Chairman Ted Mayhood indicated the Planning Board had been in contact frequently with the town attorney regarding the amendments to our Short-Term Rental regulation and the changes needed. The proposed changes were also discussed with Councilwoman Crowley and the Planning Board is in agreement with the revisions presented.

\*Councilman Gronwall indicated the regulation changes in New York for short-term regulations should be monitored as the whole process is changing rapidly. Councilwoman Crowley indicated those changes were for New York City at this time. She also spoke to the South Bristol Supervisor and they are not allowing owners of new builds to use the space as a short-term rental for two years after the purchase/build.

Supervisor Vastola motioned, Councilman Gronwall seconded, and it was unanimously carried to close the public hearing.

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

**C. PRIVILEGE OF THE FLOOR:**

1. NYS Harassment Training completed 8/16, some of the Town staff still need to take the training.

2. Supervisor Vastola participated in FEMA's Flood Study Project In-Person Meeting August 17, 2023 Follow-up Open House in the Fall. There are implications for lake property owners, however the modeling was not accurate. Councilman Gronwall will be the Town contact going forward, the new flood plain maps are available.

3. Honeoye Public Library Budget Request

\*Janelle Speca, Honeoye Public Library Director, addressed the Board regarding their budget request. She also offered to provide a letter to support the flood plain issues. Supervisor Vastola indicated that would be helpful. The hours were increased that the library is open. Circulation numbers are up across the board. Tech support and CPR training are among some of the items they also offered. A complete list of services was provided to the Board.

\*Councilman Gronwall commented that the Board appreciated the three years of financial history included with the budget request.

\*Director Speca thanked the Board for their time and support.

4. Christy Wright of Pickerel Point would like an explanation or status of the outcome of the ongoing legal issue being processed for a property on Pickerel Point. She indicated this has been extremely stressful for her and has lasted over a year. Kristine Singer spoke as a member of the ZBA. The ZBA asked over a year

ago from the applicant for a survey after his permit was revoked which he agreed to supply. The applicant has been using the structure even though there is not C of C. Ten-foot sidewalls were constructed instead of eight-foot sidewalls which have an adverse impact to the whole situation. She will make sure Supervisor Vastola has a single sheet with bullets highlighting some of these comments. They would like to be kept informed of any action going forward.

**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 August was submitted (see T. C. file). A check was also written to the Supervisor for \$3,000 from the Tax Collection accounts for remaining interest penalties. \$12.53 will stay in the two tax collection bank accounts (checking & savings) to keep the accounts open until the end of the year.

Supervisor Vastola 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. Supervisor Vastola indicated Deputy Historian Denise Coon has been processing some genealogy research as she learns the job.

3. Code Enforcement Officer- Joseph Miller.

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

b. Councilwoman Crowley questioned the lower number reported for renewals. CEO Miller indicated he is enforcing the requirement to inspect a project more frequently so the permit isn’t left open too long.

4. Planning Board- Theodore Mayhood.

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

b. Short-Term Rental reviewed and approved.

c. Planning Board member Kaitlynn McCumisky will be presenting at Muller Field Station September 27<sup>th</sup> on recycling and waste management in her official capacity as the Sustainability Assistant with Ontario County Department of Sustainability & Solid Waste Management. They will also be giving away a free composting kit at the presentation.

5. Zoning Board of Appeals- Ed Bott.

a. No meeting was held in August.

6. Highway Superintendent- Jeremy Fraim.

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

b. Tibbals Road project is complete as are all of the scheduled road projects for this year short of center-line striping. As soon as the contractor is back in the county the line striping will be scheduled. The shared services from other towns to complete projects was a big help

c. WQIP Flexamat is almost completed. The hydroseeding still needs to happen. A sign needs to be posted indicating this project was paid for by NYS DEC. Ontario County Soil and Water has a video on Facebook showing the whole project construction. A YouTube video will also be available eventually to promote the process.

d. Jersey Hill Road needed some immediate repairs that the Highway Department worked on. Supervisor Vastola indicated Christopher Day from Ontario County Public Works Engineering and he identified an additional seven locations that need repairs and would help with \$5K. Superintendent Fraim also had Ontario County Soil and water inspect the area and the work would qualify for WQIP grant funds.

e. The new F250 truck came in. The 2019 F250 is now available for the Town Hall use. That would need to be reflected in the budget for expenses of the 2019 truck.

f. Discussion took place regarding which lease agreement should be used for the F550 truck. Superintendent Fraim recommended Real Lease for financing. Councilman Statt commended Superintendent Fraim for starting this process early. Other towns are not in the same position with equipment as Canadice is at this point.

Supervisor Vastola motioned, Councilman Statt seconded to approved a contract with Real Lease for the contract and interest rate presented.

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

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

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

b. Councilman Gronwall thanked Superintendent Fraim for helping the Richmond Superintendent with the shale removal from the Outlet Creek.

c. The severity of blue-green algae blooms in August was higher than anticipated because of the DEC’s Alum Treatment Pilot last November. Not sure why the Alum treatment is not meeting expectations.

d. The Weed Harvesting Program ended in August. Betsy Landre wanted to thank the Town of Canadice for their support of the program.

8. Assessor- Holly Swingle.

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

b. The small claims case was settled September 7<sup>th</sup>.

9. Water District Operations – Councilwoman Crowley.

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

b. Councilwoman Crowley indicated last year the flush was 150,000 gallons higher. Nothing else to report.

10. Supervisor- Christopher Vastola.

a. The financial report for the month of August was submitted.

Councilwoman Crowley motioned, Councilman Statt seconded, and it was unanimously approved to accept the Supervisors report for August as presented. (See T.C. file).

APPROVED           Ayes 3           Statt, Gronwall, Crowley  
                          Abstain 1       Vastola  
                          Nays 0

**F. UNFINISHED BUSINESS:**

- 1. Sidewalks Upgrade/Repair completed August 2023
  
- 2. Honeoye Central Schools Day of Service Sept. 29, task list for Town Facilities, we could still use some extra help.
  
- 3. Canadice Hollow Cemetery Quote declined by Snyder Bros. Cemetery Service after site visit with Supervisor Vastola. Kristine Singer mentioned there is a company the Town of Canandaigua used for their repairs and Supervisor Vastola mention Haskell Monument in Victor will be contacted.

**G. NEW BUSINESS:**

**1. Resolution Number 50 of 2023** – Setting Date, Place And Time For A Public Hearing Pertaining To The 2023 Special Assessment Roll To Collect Water District No. 1 Capital Improvement Costs Based On Benefit Formulas

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

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

WHEREAS, Canadice Water District No. 1 (“Water District”) has incurred capital debt and annual interest and principal payments will be due; and

WHEREAS, all property owners in the Water District benefit from said District and must contribute to the repayment of the District’s capital debt and capital improvements in accord with the benefit received; and

WHEREAS, the Board seeks to collect a Capital Recovery Charge (“CRC”) from all property owners within the Water District through a benefit-based special assessment; and

WHEREAS, the Town Board has directed the Assessor to compute the CRC charge for the Water District on the 2023 Special Assessment Roll by applying a benefit formula that will be charged to each property within the Water District for the 2024 Tax Levy billing; and

WHEREAS, the Assessor has prepared and presented a 2023 Special Assessment Roll to the Town Board; and

WHEREAS, it is necessary to hold a public hearing on the 2023 Special Assessment Roll; and, it is hereby RESOLVED, by the Town Board of the Town of Canadice that a Public Hearing shall be held on the 9th day of October 2023, at 7:30 pm at the Canadice Town Hall, 5949 County Road 37, Town of Canadice, County of Ontario, State of New York for the purpose of hearing public comment regarding the 2023 Special Assessment Roll used for the 2024 Tax Levy billing; and, be it further

RESOLVED, that the Town Clerk advertise for said Public Hearing and notice all property owners within the District in a manner consistent with law; and, be it further

RESOLVED, that a copy of this Resolution be provided to the Town Assessor, and the Supervisor.

**2. Resolution Number 51 of 2023 – Budget Transfers ARPA For Sidewalk Upgrade**

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 Town of Canadice requested and received funds under the American Rescue Plan Act; and WHEREAS, the Town of Canadice accepted Roy White Ent. proposal in the amount of \$57,800 to complete sidewalk renovation at the Canadice Town Hall Building; and

WHEREAS, upon completion of work plus additional work necessary to complete project in the amount of \$2890.19 payment is now due; and

WHEREAS, the Budget Officer has received payment in the amount of \$168,717.44 from the American Rescue Plan Act; and

WHEREAS, the remaining balance \$59,432.44 of ARPA funds is designated to this project; and

WHEREAS, it is necessary to properly record the revenue and expenditures related to this grant in their own revenue and expenditure accounts and modify the budget for funds received; now, therefore, be it

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

Revenues- Increase A4089 (Federal Aid, Other) by \$59,432.44

Expenditures- Increase A1620.4 (Buildings- Town Hall) by \$59,432.44

and, be it further

RESOLVED, that the Clerk of this Board provide certified copies of this resolution to Jeremy Fraim, Canadice Highway Superintendent and Town of Canadice Bookkeeper.

**3. Resolution Number 52 of 2023 – Authorization To Execute Snow And Ice Control Contract With Ontario County**

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 Town of Canadice entered into a contract with Ontario County for the removal of snow and ice control from County Roads 36 and 37 that are within the Town; and

WHEREAS, said contract expires on September 30, 2023; and

WHEREAS, Ontario County and the Town have agreed to the terms of a new contract; and

WHEREAS, the contract will commence from October 1, 2023 and terminate September 30, 2024; and

WHEREAS, this Board has reviewed said snow and ice contract with Ontario County as proposed and agrees to the terms contained in said contract; and

WHEREAS, included in the agreement a procedure has been established for collection of data from the service towns to review actual expenses incurred by the towns for providing said service when establishing future reimbursement rates using a five-year rolling average calculation of the data; and

WHEREAS, the rate of reimbursement for 2023-24 will be \$6,800.00 per centerline mile, \$5,800 per centerline mile for the base contract amount plus a one-time payment of \$1,000, which includes the option to re-open the contract to address rapidly rising or falling commodity prices; now, therefore, be it

RESOLVED, that this Board authorizes the Supervisor to execute said contract with Ontario County for the above-mentioned term; and, be it further

RESOLVED, that the Clerk of this Board provide a certified copy of this resolution to the Supervisor to be attached to the County’s automated e-contract approval submission. Ontario County will return a fully executed contract to the Town Clerk for retention in the Town files.

**4. Resolution Number 53 of 2023 – Authorization To Execute Snow And Ice Control Contract With Ontario County For Service On County Road 36 Within The Town Of Naples**

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 Town of Canadice entered into a contract with Ontario County for the removal of snow and ice control from County Roads 36 and 37 that are within the Town; and

WHEREAS, the Town of Naples has determined it will not plow the section of County Road 36 from the Canadice Town line to the Naples Village line; and

WHEREAS, Ontario County has requested that Canadice provide the service for this section of the County Road; and

WHEREAS, Ontario County and the Town have agreed to the terms of a new contract; and

WHEREAS, the contract will commence from October 1, 2023 and terminate September 30, 2024; and

WHEREAS, this Board has reviewed said snow and ice contract with Ontario County as proposed and agrees to the terms contained in said contract; and

WHEREAS, the rate of reimbursement for 2023-24 will be \$5,800.00 per centerline mile for the base rate and an additional \$800.00 per centerline mile for that portion of County Road 36 in Naples (6.11 miles) and includes a one-time payment of \$1,000 per centerline mile due to escalating costs, and includes the option to re-open the contract to address rapidly rising or falling commodity prices; now, therefore, be it

RESOLVED, that this Board authorizes the Supervisor to execute said contract with Ontario County for the above-mentioned term; and, be it further

RESOLVED, that the Clerk of this Board provide a certified copy of this resolution to the Supervisor to be attached to the County’s automated e-contract approval submission. Ontario County will return a fully executed contract and amendment to the Town Clerk for retention in the Town files.

5. Town Hall Paving project by Ruston started September 5<sup>th</sup> and the paving was completed today with an area that needs to be reworked due the all the rain we received. NYS Accessibility Parking signs have been ordered and the striping may start Friday. Supervisor Vastola thanked Superintendent Fraim for all of his work and supervision of this project.

6. Gutter Replacement Town Hall and Town Court, two quotes were received. One from JMM Roofing with leaf guards and one from BK Ward with no leaf guards. Lowe’s does not have an installer. It was mentioned that the gutters on the garage over at the old Historians house should be replaced if we do keep that structure. Councilwoman Crowley will supply the measurements to JMM.

After some discussion of the differences Councilwoman Crowley motioned, Councilman Gronwall seconded to approve the quote from JMM Roofing.

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

7. Meetings with County Engineering; they will support up to 5K/year. Supervisor Vastola had a site visit Jersey Hill Rd on September 5<sup>th</sup>.

8. Looking at launching a Sustainability Waste Study and Community Education Program with the Town of Richmond saving tax dollars for both communities.

9. Town Budget Draft 2024

10. Approval of the Bills –  
Councilman Gronwall motioned, Councilwoman Crowley seconded, and it was unanimously carried that the bills are to be paid in the following amounts:

ABSTRACT #9 for 2023-

	Voucher	
General/Highway/Water District #1	#331 to #376	\$ 211,905.24
Trust & Agency	#13	\$ 359.40
APPROVED	Ayes 4	Vastola, Statt, Gronwall, Crowley
	Nays 0	

**H. PRIVILEGE OF THE FLOOR:**

1. Councilwoman Crowley questioned if the Planning Board has had a chance to start looking at the Solar Permit Code. Planning Board Chairman Mayhood indicated no action has taken place yet.

2. Supervisor Vastola also reminded everyone there is \$5K available for the Comprehensive Plan update expenses.

**I. EXECUTIVE SESSION**

Supervisor Vastola motioned, Councilman Statt seconded, and it was unanimously carried to adjourn the meeting and go into executive session to discuss ongoing litigation and personnel issues at 8:36 pm.

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

Supervisor Vastola motioned, Councilwoman Crowley seconded, and it was unanimously carried to adjourn the executive session with no action taken on the pending litigation executive session and resume the regular meeting at 8:59 pm.

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

**J. ADJOURNMENT:**

Councilman Gronwall motioned, Councilman Statt seconded, and it was unanimously carried to adjourn the meeting at 9:02 pm.



CANADICE REGULAR TOWN BOARD MEETING

September 11, 2023

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

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