## A. CONVOCATION:

- 1. The Canadice Organizational/Town Board Meeting was held on January 13, 2014 at 7:30 pm at the Canadice Town Hall.
- 2. Roll call showed the following-

Present: Supervisor Kristine Singer

Councilman Michael Virgil Councilman John OgConnor Councilman William Hershey

Councilman Mark Statt

Others Present: Twelve (12) guests/residents attended the Organizational and Regular Town Board Meeting.

- 3. Salute to the Flag.
- 4. Approval of December 9, 2013 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.

**APPROVED** 

Ayes 5

Singer, Virgil, O

Connor, Hershey, Statt

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 Michael Virgil

Town Clerk/Tax Collector- Diane Horning

Town Justices- None

e. Appointments By The Town Board:

Attorney for the Town-TBD

Alternate Attorney for the Town-TBD

Registrar of Vital Statistics- Eileen Schaefer

Health Officer- Michael Hutton

Dog Control Officer- Ontario County Humane Society

Code Enforcement Officer- Robert Best

Deputy Code Enforcement Officer- Vacant/As Needed Basis

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 Taskforceó Bill Hershey

# f. Appointments To Be Made By Town Officers:

# 1. By Supervisor:

Deputy Supervisor- Councilman Michael Virgil

Historian- Margaret Bott

Deputy Historian- David Bott

Budget Officer- Kristine Singer

Bookkeeper to the Supervisor- Mark Pulver

# 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- Steven Zeh

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- \$.50 cents per mile as the mileage rate for 2014.

# j. Salary Schedule- (As established by the adoption of the 2014 Budget)

Four Councilpersons \$2,435.00 each per year

\$9,740.00 total

Two Justices \$8,170.00 each per year

\$16,340.00 total

Supervisor \$11,989.00 annual Highway Superintendent \$51,990.00 annual

Deputy Highway Superintendent \$3,597.00 annual

Machine Equipment Operator Heavy \$23.14 per hour Machine Equipment Operator Light \$17.01 per hour \$9.00 per hour Laborer **Budget Officer** \$1,742.00 annual Town Clerk/Tax Collector \$26,158.00 annual Registrar of Vital Statistics \$356.00 annual Deputy Town Clerk/Tax Collector \$1,743.00 annual Bookkeeper To The Supervisor \$17.28 per hour Appointed Assessor \$20,860.00 annual Assessor Clerk \$12.00 per hour Code Enforcement Officer \$16,270.00 annual Deputy CEO \$15.00 per hour Town Historian Personnel \$775.00 annual total Court Clerk \$15.05 per hour \$15.55 per hour Cleaner Grounds Keeper \$15.55 per hour Cleaner (additional) \$12.35 per hour

Planning Board Members \$30.00 per meeting attended

Planning Board Chairperson \$200.00 stipend in addition to above

Planning Board Secretary \$75.00 per meeting attended Zoning Appeals Board Members \$25.00 per meeting attended

Zoning Appeals Board Chairperson \$200.00 stipend in addition to above

Zoning Appeals Board Secretary \$75.00 per meeting attended

Board of Assessment Review \$8.50 per hour

Health Officer \$0

## 2. **Resolution Number 1 of 2014** ó Approval of Organizational Meeting Items

Councilman Virgil motioned, Councilman Hershey seconded, and it was unanimously carried to approve the resolution.

APPROVED Ayes 5 Singer, Virgil, O©Connor, Hershey, Statt

Nays 0

WHEREAS, The Organizational Meeting of the Town of Canadice was held on January 13, 2014; and WHEREAS, All items were presented to the Town Board for their consideration; now, therefore, be it RESOLVED, That this Board does hereby approve of and adopts those items placed before it at said meeting; and, be it further

RESOLVED, That the Clerk of this Board enter all said items along with a copy of this resolution in the official minutes of this Board.

## 3. Resolution Number 2 of 2014 \( \) Adoption Of Rules Of Procedure And Order

Councilman OgConnor motioned, Councilman Virgil seconded, and it was unanimously carried to approve the resolution.

APPROVED Ayes 5 Singer, Virgil, O

©Connor, Hershey, Statt

Nays 0

WHEREAS, Section 63 of the Town Law provides that the Town Board may determine the rules of its procedure; and

WHEREAS, This Board adopted Rules of Procedure and Order as defined in Chapter 14, Meetings and Public Hearings, of the Canadice Municipal Code with the adoption of said code September 9, 1996; and 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 2014:

- 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, booking, 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 2014 pursuant to Section 63 of the Town Law; and, be it further

RESOLVED, That the Clerk of this Board send certified copies of this resolution to the Board Members, Highway Superintendent and retain a copy for the official records.

## 4. **Resolution Number 3 of 2014** ó Review Of Procurement Policy

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

APPROVED Ayes 5 Singer, Virgil, O

Connor, Hershey, Statt

Navs 0

WHEREAS, Section 104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirement of GML, Section 103 or any other law; and

WHEREAS, This Board adopted a Procurement Policy April 13, 1992 which is defined in Chapter 21 of the Canadice Municipal Code; and

WHEREAS, Said adoption requires the annual review of the said policy; and

WHEREAS, Comments have been solicited from the Town Board by the Budget Officer pertaining to the procurement policies and procedures as stated in Chapter 21 of the Town of Canadice Municipal Town Code; now, therefore, be it

RESOLVED, That the Town of Canadice does hereby approve the procurement policies and procedures contained in Chapter 21 of the Canadice Municipal Code; and, be it further

RESOLVED, That the Clerk of this Board send certified copies of this resolution to the Board Members, Highway Superintendent and retain a copy for the official record.

5. **Resolution Number 4 of 2014** ó Request To Be Included In Ontario County Highway Bids For 2014 Councilman Oconnor motioned, Councilman Virgil seconded, and it was unanimously carried to approve the resolution.

APPROVED Ayes 5 Singer, Virgil, O

Connor, Hershey, Statt

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 2014; 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.

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 2014; 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 County Purchasing Department and the Canadice Highway Superintendent.

## C. PRIVILEGE OF THE FLOOR:

1. Mr. Carlton Hoppough wanted to address the Board regarding the Highway Superintendent position. He feels there should not be anyone appointed and the Deputy Highway Superintendent should fill in until the election in November. The Board should hire a laborer and wait until the election. Supervisor Singer indicated it is legal to appoint a Superintendent temporarily until the election in November and we wongt know how many people will be interested until we advertise.

\*Mr. Patrick Kuter asked if there is a plan B if no one applies for the job. Supervisor Singer indicated there has been some discussion, but at this point the Board will see what is submitted.

- 2. Mrs. Laurie Kuter is concerned about the ambulance issues with Springwater Ambulance being out of service. This could be very serious for residents in Springwaterøs district.
- \*Mr. Kuter indicated he was told Springwater Ambulance was called over the weekend and it took them 31 minutes to respond for a cardiac arrest call.
- \*Councilman O@Connor indicated that discussions took place with Livingston County dispatchers and they were instructed to call Richmond directly if Springwater couldnot take the call. It appeared the issue was resolved. He has been trying to reach someone in Springwater regarding this recent issue of being out of service and no one has returned the call.
- \*Supervisor Singer indicated this may be considered a breach of contract.
- \*Councilman Statt indicated the Richmond Ambulance Service will do what@ best for the patient regardless of contracts.

#### 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 for the month of December 2013 was submitted (see T. C. file).

Councilman Statt motioned, Councilman Virgil seconded, and it was unanimously carried to accept the Town Clerkes report.

APPROVED Ayes 5 Singer, Virgil, O

Connor, Hershey, Statt

Navs 0

- 2. Historian- Mrs. Margaret Bott.
  - a. 2013 annual report submitted in December.
- 3. Code Enforcement Officer- Mr. Robert Best.
- a. The written report for the month of December 2013 was submitted (see T. C. file). Fire & Safety and Year end reports were included.
- 4. Planning Board- Mr. Theodore Mayhood.
  - a. Draft minutes were submitted to the Town Board (see T. C. file).
- b. A subdivision application for one of the lots for Canadice Construction was approved with the condition the 2.89 acres would be combined with the Finsterøs property. Councilman OøConnor asked if the remaining lot will still be conforming and Mr. Mayhood indicated it would. If the property still goes through foreclosure, the subdivision will not take place.
  - c. The final review of the Comprehensive Plan is almost done and we will get it to Supervisor Singer.

- d. The Planning Board is looking for an Alternate Member.
- 5. Zoning Board of Appeals- Mrs. Linda Moorhouse.
  - a. Vice Chairwoman Mrs. Diane Horning indicated there is no report for the ZBA, they did not meet.
- 6. Acting Highway Superintendent- Mr. Steve Zeh
  - a. Keeping up with the roads.
  - b. Working on miscellaneous equipment.
  - c. Replenishing the salt supply.
- 7. Honeoye Lake Watershed Research Taskforce- Councilman Hershey.
- a. Mr. Terry Gronwall indicated they will work with Councilman Hershey and the Town Clerk to provide information for the section on the website dedicated to the HLWT.
- 8. Assessor- Mrs. Lisa M. Bennett
  - a. The written report for the month of December 2013 was submitted (see T. C. file).
- 9. Supervisor- Ms. Kristine Singer.
- a. The financial report for the month of December 2013 was submitted (see T.C. file). Councilman Hershey motioned, Councilman Virgil seconded, and it was carried to accept the Supervisorøs report.

APPROVED

Ayes 4 Virgil, O¢Connor, Hershey, Statt
Abstained 1 Singer
Nays 0

## b. Budget Transfers:

<b>FROM</b>	<u>TO</u>	<b>AMOUNT</b>	<u>PURPOSE</u>
A1990.4	A1110.11	\$ 114.71	Expenditures greater than budgeted amount.
A1990.4	A1620.12	\$ 233.33	Expenditures greater than budgeted amount.
A1990.4	A1620.4	\$ 612.99	Expenditures greater than budgeted amount.
A1990.4	A5010.4	\$ 121.21	Expenditures greater than budgeted amount.
A1990.4	A5132.4	\$ 219.94	Expenditures greater than budgeted amount.
A1990.4	A8020.4	\$ 207.54	Expenditures greater than budgeted amount.
A1990.4	A9055.8	\$ 102.25	Expenditures greater than budgeted amount.
DA5148.1	DA5130.1	\$ 4,154.42	Expenditures greater than budgeted amount.
DA5148.1	DA5140.1	\$ 643.08	Expenditures greater than budgeted amount.
DA5112.21	DA5142.41	\$ 2,419.60	Expenditures greater than budgeted amount.
DA9060.8	DA5142.41	\$ 3,388.97	Expenditures greater than budgeted amount.
DA9060.8	DA9030.8	\$ 827.10	Expenditures greater than budgeted amount.

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

APPROVED Ayes 5 Singer, Virgil, O

Connor, Hershey, Statt
Nays 0

# c. **Resolution Number 6 of 2014-** 2013 Budget Modifications

resolution.

**APPROVED** Ayes 5 Singer, Virgil, O

Connor, Hershey, Statt

Nays 0

WHEREAS, This Board contracted engineering and associated services for the Canadice Water District #1 Project; and

WHEREAS, No funds had been appropriated for these expenses due to the unknown extent of the work that would need to be done; and

WHEREAS, Once the project is funded, any funds expended from the general account will be restored; now, therefore, be it

RESOLVED, That this Board directs the Budget Officer to make the following 2013 budget modifications:

Increase A599, Appropriated Fund Balance by \$5,438.80

Increase A1440.4, Engineering ó Contractual by \$5,438.80

## d. **Resolution Number 7 of 2014** – 2013 Budget Modifications

Councilman Virgil motioned, Councilman Hershey seconded, and it was unanimously carried to approve the resolution.

**APPROVED** Ayes 5 Singer, Virgil, O

Connor, Hershey, Statt

Nays 0

WHEREAS, The Budget Officer has received funds in excess of budgeted amounts and from grant funds for completed stabilization work; and

WHEREAS, There are appropriation lines that have exceeded budgeted amounts; and

WHEREAS, The expenditure of funds from certain appropriation lines was in anticipation of the receipt of monies from the receipt of excess revenues and grant funds and received during 2013; now, therefore, be it RESOLVED, That this Board directs the Budget Officer to make the following 2013 budget modifications:

## Revenues

Increase DA2770, Misc. Income \$28,924.51

Increase DA3501, Consolidated Highway Aid \$21,337.00

## **Expenditures**

Increase DA5110.1, Repairs, PS by \$913.23

Increase DA5110.4, Repairs, Cont. by \$20,714.29

Increase DA5112.1, Permanent Improvements, PS by \$1,226.20

Increase DA5142.1, Snow Removal, PS by \$11,857.01

Increase DA5142.4, Snow Removal, Cont. by \$15,550.78

# e. **Resolution Number 8 of 2014** – 2013 Budget Modifications

Councilman Virgil motioned, Councilman Hershey seconded, and it was unanimously carried to approve the resolution.

APPROVED Ayes 5 Singer, Virgil, O

Connor, Hershey, Statt

Navs 0

WHEREAS, Canadice Highway Superintendent Bruce Longbine resigned his position effective December

31, 2013; and

WHEREAS, During the last quarter of 2013, prior to Mr. Longbine actual effective retirement date, Deputy Highway Superintendent Steven Zeh was covering many of the daily duties; and

WHEREAS, This Board determined that Mr. Zeh should receive an increase in compensation for his services; now, therefore, be it

RESOLVED, That this Board agreed to compensate the Deputy Highway Superintendent Steven Zeh an additional \$300 per month for the months he has been acting as Highway Superintendent; and, be it further RESOLVED, That this Board will approve payment of \$900.00 to Mr. Zeh for the last quarter of 2013 to be paid by voucher and then increase the Deputy salary at a rate of \$300.00 per month in 2014 until such time as a Highway Superintendent is appointed by this Board; and, be it further

RESOLVED, That this Board directs the Budget Officer to make the following 2013 budget modifications: Decrease A1990.4, Contingency by \$900.00

Increase A5010.11, Highway Superintendent, Deputy by \$900.00

## F. UNFINISHED BUSINESS:

- 1. Supervisor Singer placed an advertisement in three publications for the Highway Superintendent position. Applications need to be submitted by February 8<sup>th</sup>. Daily Messenger, Finger Lakes Times and Livingston County News are the three publications where the advertisement was placed.
- 2. Acting Highway Superintendent Zeh has been discussing the Equipment Replacement Schedule with Supervisor Singer to keep things current. We may look into an inter-municipal agreement with Richmond on a couple of pieces of equipment. There still is a question regarding trading in one of the pickup trucks. Councilman Occonnor will look at the two trucks with Superintendent Zeh and they will decide which one is best to trade. Councilman Occonnor asked Superintendent Zeh what the concern is with the grader. Superintendent Zeh indicated it was a great buy; the concern is in getting parts, but it is used a fair amount. Councilman Virgil asked how the inter-municipal agreement is handled if a breakdown occurs due to operator error. Superintendent Zeh indicated the town in question would make the repair; there hasnot been an issue with this type of repair in the past.

## **G.** NEW BUSINESS:

- 1. 2013 Supervisors Financial Report 12/31/2013 was submitted (see T. C. file).
- 2. 2013 Town Clerk Report and 2013 Tax Collector Report were submitted (see T. C. file).
- 3. **Resolution Number 9 of 2014** Approval Of Town Officers Financial Records Councilman Virgil motioned, Councilman O©Connor seconded, and it was unanimously carried to approve the resolution.

APPROVED Ayes 5 Singer, Virgil, O

Connor, Hershey, Statt

Navs 0

WHEREAS, Town Law 123 requires the Town Board to audit the records of all Town officers or employees who received or disbursed moneys during the previous year on or before the twentieth day of January; and WHEREAS, The Town Supervisor/Budget Officer, Town Clerk/Tax Collector provided the Town Board with said records on January 13, 2014; now, therefore, be it

RESOLVED, That to the best of their knowledge, the Town Board found the records of the Town Clerk/Tax Collector to be in good order and acceptable; and, be it further

RESOLVED, That to the best of their knowledge, the Town Board, with the abstention of the Supervisor, found the records of the Town Supervisor/Budget Officer to be in good order and acceptable; and, be it further

RESOLVED, That this resolution be entered into the official minutes of the Canadice Town Board.

4. **Resolution Number 10 of 2014** ó Authorization To Execute The Highway Superintendent Software Support Contract With Williamson Law Book Company

Councilman O¢Connor motioned, Councilman Statt seconded and it was unanimously carried to adopt the following resolution.

**APPROVED** 

Ayes 5

Singer, Virgil, O

Connor, Hershey, Statt

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 \$423.50 for 2014; 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 executed contract and contract fee to Williamson Law Book Company and retain a copy in the Town files.

5. **Resolution Number 11 of 2014** ó Authorization To Execute The Payroll Software Support Contract With Williamson Law Book Company

Councilman O¢Connor motioned, Councilman Hershey seconded and it was unanimously carried to adopt the following resolution.

APPROVED

Ayes 5

Singer, Virgil, O

Connor, Hershey, Statt

Nays

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 \$770.00 for 2014; 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 executed contract and contract fee to Williamson Law Book Company and retain a copy in the Town files.

# 6. Approval of the Bills ó

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

ABSTRACT #13 for 2013-

General Account Voucher

#348 to #382

\$ 12,709.58

## CANADICE ORGANIZATIONAL/REGULAR TOWN BOARD MEETING

January 13, 2014

Highway Account Voucher #198 to #212 \$ 24,566.46 Trust & Agency Voucher #20 to #21 \$ 785.57

Voucher #360 (Honeoye Public Library) deleted and added as Voucher #14 in Abstract 1 of 2014.

ABSTRACT #1 for 2014-

Vouchers #1 to #14

 General Account
 \$ 81,425.63

 Highway Account
 \$ 50,085.36

 Trust & Agency
 \$ 2,233.78

Nays 0

## H. PRIVILEGE OF THE FLOOR: There was no one to be heard.

## I. EXECUTIVE SESSION:

APPROVED Ayes 5 Singer, Virgil, OøConnor, Hershey, Statt

Nays 0

Councilman O¢Connor motioned, Councilman Statt seconded, and it was unanimously carried to adjourn the executive session and resume the regular meeting at 9:00 pm.

Nays 0

## J. ADJOURNMENT:

Councilman O¢Connor motioned, Councilman Statt seconded, and it was unanimously carried to adjourn the meeting at 9:01 pm.

Nays 0

Respectfully submitted, Eileen Schaefer, Town Clerk