

A. CONVOCAATION:

1. The Canadice Town Board Meeting was held on March 11, 2013 at 7:30 pm at the Canadice Town Hall.

2. Roll call showed the following-

- Present: Supervisor Kristine Singer
- Councilman Michael Virgil
- Councilman Leland Durkee
- Councilman John O’Connor
- Councilman William Hershey

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

3. Salute to the Flag.

4. Approval of February 11, 2013 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 Virgil motioned, Councilman O’Connor seconded, and it was unanimously carried to approve the minutes of the February 11, 2013 Regular Town Board Meeting as no other comments were made.

APPROVED Ayes 5 Singer, Virgil, Durkee, O’Connor, Hershey
 Nays 0

B. PUBLIC HEARING:

1. To Entertain Comments Pertaining To The Adoption Of Local Law Number (1) Of 2013 Entitled: A Local Law Establishing Grievance Day in the Town of Canadice.

Supervisor Singer briefly explained this local law establishes a new grievance day for the Town of Canadice since our new Assessor holds grievance day in three towns.

Councilman Durkee motioned, Councilman Virgil seconded, and it was unanimously carried to close the public hearing.

APPROVED Ayes 5 Singer, Virgil, Durkee, O’Connor, Hershey
 Nays 0

C. PRIVILEGE OF THE FLOOR:

1. Supervisor Singer mentioned to Mr. Brian Kane the multijurisdictional committee meeting on hydrofracking - March 20th 6:00 pm at the Canandaigua Town Hall in the offices downstairs.

D. COMMUNICATIONS:

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

Supervisor Singer commented on a couple of items from the communications received;

*The packet of information from 4-H Camp Bristol Hills that includes summer programs and scholarship information.

*The flyer regarding the public meeting Thursday March 14th in Springwater on the DEC draft

management plan for Hemlock-Canadice Forest.

E. REPORTS:

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

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

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

APPROVED Ayes 5 Singer, Virgil, Durkee, O'Connor, Hershey
 Nays 0

2. Historian- Mrs. Margaret Bott.

a. Supervisor Singer mentioned that Mrs. Bott has been recuperating from a health issue, but has already been in contact with a couple of people that will be researching family records.

3. Code Enforcement Officer- Mr. Robert Best.

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

4. Planning Board- Mr. Theodore Mayhood.

a. The February draft minutes were submitted (see T.C. file).

b. Mr. Mayhood mentioned that at the County Planning Board meeting plans for a hotel and medical office building in Victor (251 & Phillips Road) received preliminary approval. Also it was approved to demolish Steamboat Landing and build a hotel in that location.

5. Zoning Board of Appeals- Mrs. Linda Moorhouse.

a. No report.

6. Highway Superintendent- Mr. Bruce Longbine.

a. Equipment Schedule and the Tractor & Mower Replacement were reviewed- After some discussion, Councilman Durkee motioned, Councilman Hershey seconded, and it was unanimously carried to approve the five-payment option for the tractor and mower replacement.

APPROVED Ayes 5 Singer, Virgil, Durkee, O'Connor, Hershey
 Nays 0

b. Superintendent Longbine went last week with the Highway Superintendents' Association members to meet with representatives in Albany. Our new State Senator Ted O'Brien didn't attend. It looks like the CHIPS funds will increase.

c. The Highway Department has been mixing salt with the new treatment solution, but they have only used it for about a month so not sure yet how well it works.

7. Honeoye Lake Watershed Research Taskforce Liaison- Councilman Hershey.

a. Nothing new since the last meeting. Supervisor Singer indicated the old weed harvester has been sold, a portion of which will come back to Canadice.

8. Assessor- Mrs. Lisa Bennett

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

9. Supervisor- Ms. Kristine Singer.

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

Councilman Durkee motioned, Councilman Virgil seconded, and it was carried to approve the January financial report.

APPROVED Ayes 4 Virgil, Durkee, O’Connor, Hershey
 Abstained 1 Singer
 Nays 0

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

Councilman O’Connor motioned, Councilman Durkee seconded, and it was carried to approve the February financial report.

APPROVED Ayes 4 Virgil, Durkee, O’Connor, Hershey
 Abstained 1 Singer
 Nays 0

F. UNFINISHED BUSINESS:

1. Union Contract Memorandum of Understanding

a. **Resolution Number 16 of 2013** – Authorization To Execute A Memorandum Of Understanding

Councilman Virgil motioned, Councilman Hershey seconded, and it was carried to approve the resolution after some discussion took place.

APPROVED Councilman Hershey Aye
 Councilman O’Connor Aye
 Councilman Durkee Aye
 Councilman Virgil Aye
 Supervisor Singer Nay

WHEREAS, This Board entered into the most recent contract with the International Union of Operating Engineers effective January 1, 2012 representing the light and heavy equipment operators employed by the Town of Canadice; and

WHEREAS, A request was made by the highway personnel that would enable them to accumulate overtime hours to exchange for time off at a later date in the year; and

WHEREAS, The Union and the Town have established a mutually acceptable policy for this unit as outlined in the Memorandum of Understanding to said contract; now, therefore, be it

RESOLVED, That this Board authorizes the Supervisor to execute the Memorandum of Understanding with the International Union of Operating Engineers that will become part of the agreed upon contract currently in force; and, be it further

RESOLVED, That the Clerk of this Board is to send a certified copy of this resolution along with a copy of the signed Memorandum to Paul McCormick with the International Union of Operating Engineers.

2. Update – Fire District Discussions:

*Councilman O’Connor provided copies of the boundary map Springwater submitted at the meeting. Also at the first meeting the issue regarding dispatching from Livingston County has been resolved and Richmond will be called second if Springwater cannot respond to their designated area in Canadice. Supervisor Singer

also contacted Emergency Management in Ontario County regarding that issue.

*Councilman O’Connor indicated the ambulance service from Wayland is still in the works to join Springwater, but they are going to third party billing from MedEx out of Leroy – they are also going to charge Canadice residents now. Supervisor Singer indicated we would have to look at the whole process. Councilman O’ Connor indicated if the fire trucks are called out and an ambulance goes to the scene, there would not be a separate bill. Plan B is still to contract with Richmond for ambulance service for all of Canadice.

*The next meeting is April 1st. Richmond wants to meet with Councilman O’Connor and Councilman Durkee separately after the next meeting.

*Supervisor Singer indicated we could create three districts and the properties in each district would be levied accordingly. Councilman O’Connor mentioned the Livonia area has a similar situation. Springwater will meet with a representative from NYS DOH to explain how the new system would be structured.

*Councilman Hershey asked what hospital Springwater’s ambulance will take a patient to. Councilman O’Connor indicated the primary hospital is Dansville, and the secondary location is Canandaigua. Mr. Mark Statt mentioned they have to take you where you want to go. Councilman O’Connor also added they have a contract with a helicopter medical support out of Hornell now.

3. Update – Website Changes: Once emails are secured, final changes will take place after the website is switched.

G. NEW BUSINESS:

1. Hemlock Canadice Forest Management Plan

a. DEC Public Informational Meeting Thursday March 14th 6:30 pm at the Springwater Fire Hall.

b. **Resolution Number 17 of 2013** – Commenting On The Hemlock-Canadice Draft Unit Management Plan

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

APPROVED Ayes 5 Singer, Virgil, Durkee, O’Connor, Hershey
 Nays 0

WHEREAS, The NYS Department of Environmental Conservation (DEC) acquired title to 6,684 acres of the former holdings of the City of Rochester in the Hemlock and Canadice Watersheds now known as the Hemlock-Canadice Forest; and

WHEREAS, The DEC has prepared a draft of the Hemlock-Canadice Unit Management Plan for public review; and

WHEREAS, Once adopted, said Management Plan will guide the DEC’s decisions managing the Hemlock-Canadice Forest over the next 10 years; and

WHEREAS, Said Draft Management Plan contains a policy for evaluating and potentially granting leases for resource extraction, including gas and oil drilling employing hydraulic fracturing techniques; and

WHEREAS, Proper management of the Hemlock-Canadice Forest is vital to the protection of the City of Rochester’s public water supply, and in protecting an aesthetic resource of vital importance to the local municipalities and the entire region; and

WHEREAS, The Town of Canadice’s Master Plan identifies the major role of the Hemlock-Canadice Forest

in establishing and maintaining the rural character of the Town that is of paramount importance to its residents; and

WHEREAS, The Hemlock-Canadice Forest is an important resource in establishing the regional character of the Finger Lakes Region; and

WHEREAS, New York State has recognized the potential for certain negative impacts and has therefore determined that the watersheds supplying public drinking water to New York City and Syracuse will be exempted from hydrofracking mining; now, therefore, be it

RESOLVED, That this Board makes the following comments on the Draft Hemlock-Canadice Unit Management Plan:

1. The Needs, Issues, and Policy Constraints section of the plan should be revised to include a discussion of

a. the importance of the Hemlock-Canadice Forest as a local and regional aesthetic resource. The Forest is of prime importance in establishing the rural character of the Town of Canadice and in this region of the Finger Lakes.

b. the intent of the City of Rochester and the local municipalities in agreeing to transfer ownership of this property to DEC was to continue in perpetuity the type of management that had been performed by the City of Rochester. Specifically, the intention was to prevent or severely limit future development and maintain the forest cover and general rural character of the Forest.

c. the Town of Canadice's local land use regulations which were in place prior to the DEC's acquisition of the Forest limit the use of this and similar property to public or private parks, not to include camping, public educational interpretive centers, watershed and forestry management, public and private water supply/sewage disposal systems, and timber harvesting (subject to the special requirements). In short, neither the town's comprehensive plan nor zoning would allow resource extraction uses as contemplated in the Draft Unit Management Plan.

2. The Goal and Objectives Section should be revised to

a. include a section on the maintenance of aesthetic resources. The importance of maintaining mature forest cover, of ensuring that any extractive industries, communication towers, wind mills for electric generation, drilling rigs, and land clearing activities associated with such uses are not visible and do not impact the rural character of the locality and region should be noted as being of paramount importance. None of these resource extractive uses, communication towers, or wind mills are allowed under the Town of Canadice's zoning.

b. include objectives in the subsections dealing with resource extraction, especially oil and gas drilling, making protection of the drinking water resources of paramount importance. The draft Management Plan does mention protection of public drinking water resource in the section on the management goals for timber resources, but is curiously silent on this subject in regard to management goals in regard to resource extraction and oil and gas leasing.

c. include goals and objectives related to being consistent with the original intent of the parties involved when DEC acquired title to the Forest. Specifically, to minimize deviations from the City of Rochester's historical activities and policies in managing this property. The City of Rochester would not have allowed the introduction of resource extractive uses on this property; and, be it further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to NYSDEC, 7291 Coon Rd. Bath, NY 14810; and, be it further

RESOLVED, That copies of this resolution be sent to DEC Commissioner Joseph Martens, State Senator Michael F. Nozzolio, State Senator Ted O’Brien, Assembly Minority Leader Brian M. Kolb, Ontario County Board of Supervisors, Ontario County Planning Department and the Towns of Richmond, Springwater and Livonia.

2. Harriet Hollister User Group Meeting March 28th 7:00 pm at the Canadice Town Hall. Councilman Virgil will attend.

3. **Resolution Number 18 of 2013** - Authorization To Execute A Town Clerk Plus Program Software Support Contract With Williamson Law Book Company
Councilman O’Connor motioned, Councilman Durkee seconded, and it was unanimously carried to approve the resolution.

APPROVED Ayes 5 Singer, Virgil, Durkee, O’Connor, Hershey
 Nays 0

WHEREAS, This Board purchased the Town Clerk/Tax Collector program from Williamson Law Book Company in 1998 which has been updated to the Town Clerk Plus Program; and
WHEREAS, The software support is an annual renewable contract at a rate of \$665.50 for 2013; and
WHEREAS, The Town Clerk recommends the contract be renewed; 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 with the executed contract to Williamson Law Book Company with the contract fee and retain a copy of same in the Town files.

4. **Resolution Number 19 of 2013** - Authorization To Execute A Code Enforcement Program Software Support Contract With Williamson Law Book Company
Councilman O’Connor motioned, Councilman Durkee seconded, and it was unanimously carried to approve the resolution.

APPROVED Ayes 5 Singer, Virgil, Durkee, O’Connor, Hershey
 Nays 0

WHEREAS, This Board purchased the Code Enforcement Officer program from Williamson Law Book Company in 2000; and
WHEREAS, The software support is an annual renewable contract at a rate of \$363 for 2013; and
WHEREAS, The Code Enforcement Officer recommend the contract be renewed; 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 with the executed contract to Williamson Law Book Company with the contract fee and retain a copy of same in the Town files.

5. **Resolution Number 20 of 2013** - Adoption Of Local Law Number 1 (Intro) Of 2013 Entitled: A Local Law Establishing Grievance Day For The Town Of Canadice Pursuant To Real Property Tax Law Subsection 512(1-A)
Councilman Virgil motioned, Councilman Durkee seconded, and it was unanimously carried to approve the resolution.

APPROVED Councilman Hershey Aye
 Councilman O’Connor Aye
 Councilman Durkee Aye
 Councilman Virgil Aye
 Supervisor Singer Aye

WHEREAS, A Public Hearing was duly held at the Canadice Town Hall on the 11th day of March, 2013 at 7:30 pm, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, The Town Board of the Town of Canadice, after due deliberation, finds it in the best interest of the Town to adopt said Local Law; and

WHEREAS, It is necessary to keep all local laws, as finally adopted, numbered consecutively in the year of their filing in the Office of the Secretary of State; now, therefore, be it

RESOLVED, That this Board adopts said Local Law Number 1(Intro) of 2013 as Local Law Number 1 of 2013 entitled: A Local Law Establishing Grievance Day for the Town of Canadice Pursuant to Real Property Tax Law Subsection 512(1-a); and, be it further

RESOLVED, That the Clerk of this Board is hereby directed to file a copy of Local Law Number 1 of 2013 along with a certified copy of this resolution with the Secretary of State, and send a copy of this resolution and Local law Number 1 of 2013 to General Code Publishers.

6. Electrical proposals from D&J Electrical-

After some discussion, Councilman Durkee motioned, Councilman Virgil seconded, and it was unanimously carried to approve the electrical proposals for LED fixtures & new fans at the highway garage from D&J Electrical.

APPROVED Ayes 5 Singer, Virgil, Durkee, O’Connor, Hershey
 Nays 0

7. Approval of the Bills –

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

ABSTRACT #3

General Account Voucher	#50 to #74	\$ 11,198.43
Highway Account Voucher	#022 to #044	\$ 126,509.67
Trust & Agency Voucher	#3	\$ 491.12
Richmond Fire District Voucher	#01	\$ 65,875.00
Hemlock Fire District Voucher	#001	\$ 20,327.00
Springwater Fire District Voucher	#0001	\$ 35,452.00

APPROVED Ayes 5 Singer, Virgil, Durkee, O’Connor, Hershey
 Nays 0

H. PRIVILEGE OF THE FLOOR:

1. Mr. Brian Kane asked if anyone was going to the DEC draft management plan public hearing in Springwater Thursday. Superintendent Longbine and Mr. Mayhood indicated they will be attending.

2. After a discussion regarding the drains at the Highway Department, Superintendent Longbine mentioned Safety Kleen needs to be brought in to check them.

3. Councilman O'Connor asked if we had a new NYS flag; if not he will bring one up to the Town Hall. Also we should use brass clips instead of the plastic ones. Supervisor Singer mentioned we have new ropes if Superintendent Longbine can have the boom truck from Bloomfield stop in to help change them out.

I. ADJOURNMENT:

Councilman O'Connor motioned, Councilman Durkee seconded, and it was unanimously carried to adjourn the meeting at 8:54 pm.

APPROVED Ayes 5 Singer, Virgil, Durkee, O'Connor, Hershey
 Nays 0

Respectfully submitted, _____ Eileen Schaefer, Town Clerk