

A. CONVOCAATION:

1. The Canadice Town Board Meeting was held on March 13, 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 John O’Connor
- Councilman Teryl Gronwall
- Councilwoman Kate Crowley
- Absent Councilman Mark Statt

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

3. Salute to the Flag led by Kristine Singer.

4. Approval of February 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 O’Connor motioned, Councilman Gronwall seconded, and it was unanimously carried to approve the minutes of the February 13, 2023 Regular Town Board Meeting.

APPROVED Ayes 4 Vastola, O’Connor, Gronwall, Crowley
Nays 0

B. PUBLIC HEARING:

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

Councilman O’Connor motioned, Councilman Gronwall 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, O’Connor, Gronwall, Crowley
Nays 0

*Dr. Andre Marquis questioned if Supervisor Vastola received the documents he emailed; a personal letter from Dr. Marquis and his wife Erica Crane in addition to the document with a petition from the residents in the area. He also questioned if all of the Board members read the letter; Supervisor Vastola confirmed they had read the personal letter. Supervisor Vastola received the personal letter, but not the additional document. Dr. Marquis sent the email again as the meeting was being held. (During the meeting Supervisor Vastola checked and received the email Dr. Marquis resent.) The residents in the area are concerned about the proposal to build a house, septic and well on the 6600 S Old Bald Hill Road property. They found out about this hearing when the CEO Miller posted a sign on Thursday March 9th, which does not meet the sign posting requirement of seven days before a hearing. He read aloud some of the letter submitted and his wife Mrs. Erica Crane also read aloud some of the sections of the petition and sections of the code book. Supervisor Vastola indicated some of the items being read were from a special use permit and would not apply to this

situation. Mrs. Crane continued - they were told by the previous CEO that nothing could be built on the lot. It's felt that building a home with septic and a well on this lot would detrimentally effect the neighborhood.

*Joan and Bob Cox are neighboring owners on the south side and they have issues with water most of the year currently. The new owners told them they were building a small house and now we see it's a much larger structure. There are issues with flooding and septic issues already existing on their property and it could be worse with the construction so close. It could also affect our assessment which was just raised substantially. CEO Miller asked when their septic was installed and Mr. Cox indicated the septic is original from when the house was built in 1972.

*Mr. Jensen indicated he is north of this property and is concerned about the distances of the construction in relationship to his well. It looks like approximately 70 feet from his well.

*Councilman O'Connor questioned the building permit. CEO Miller indicated it's a preexisting lot so as long as they meet the setbacks and standards for building, they can get a permit.

*Dr. Marquis respectfully asked if any of the Board members including anyone that is absent have any kind of relationship with the Johnsons which would require them to recuse themselves from the vote. The Board indicated they did not have a personal relationship with the Johnsons. Dr. Marquis indicated he would have purchased the lot if he hadn't been told three times that no one could build on the lot.

*Mrs. Erica Crane questioned CEO Miller why some of the criteria listed under ZBA variances, which she read aloud, would not apply to this situation. Kristine Singer, a member of the ZBA, indicated those criteria apply only to a ZBA variance not what is being reviewed for a septic system. CEO Miller also added that is not the criteria looked at for issuing a building permit.

*Councilman Gronwall asked Bill Grove, the engineer for the proposed septic system, to speak on some of the details that are being discussed. Mr. Grove indicated the house plans are for 728 sq ft, it's not a 1500 or 1600 sq ft house as mentioned earlier. Town Code requires an 80-foot setback from the property line. Mr. Grove described the proposed septic system. NYS Department of Health requirement is 10 ft from the property line to the septic. The system proposed is used when the foot print needs to be kept small. The well to the north is approximately 105 ft from the proposed septic and the minimum is 100 ft. It does meet all of the NYS setback requirements.

*Dr. Marquis questioned what the purpose of codes and regulations are if exceptions are granted for applications.

*Mrs. Crane questioned what they should do if issues arise on their property in the future if the proposed septic, well and house are constructed.

*Fred Wagner questioned Mr. Grove in regards to the wells mentioned in the area that have E Coli and wanted to know if the density of existing wells and septic systems in that area are a factor. Mr. Grove indicated usually the aquifer is much deeper and wouldn't be impacted from something on the surface, but he doesn't know enough about the area to answer that question. He also mentioned again the 10-foot setback for NYS Department of Health requirements are met. Supervisor Vastola also added the Town Code was written when professionally designed septic systems were not available as they are now. This application was submitted by a professional engineer. Supervisor Vastola indicated if any of the neighboring residents wanted to hire their own professional engineer to get a second opinion on the plans submitted, they could at their own expense. That would also provide information that could be helpful in the future if any of the neighboring property owners needed septic repairs or replacement.

*Councilman O'Connor is in favor of tabling the variance request until more information is submitted.

Councilwoman Crowley agreed and would like information for the well placement to the south as well as

their septic placement in addition to some of the surrounding properties. Councilman O’Connor felt with this being a new system and not a repair or replacement, he doesn’t have enough information to make a decision this evening.

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

1. Resolution TABLED – Approval of Septic Placement Variance for at 6600 S Old Bald Hill Road Springwater, NY 14560.

Councilman O’Connor motioned, Councilwoman Crowley seconded, and it was unanimously carried to table this request until the next Town Board meeting in April.

APPROVED Ayes 4 Vastola, O’Connor, Gronwall, Crowley
 Nays 0

Councilman O’Connor motioned, Councilman Gronwall seconded, and it was unanimously carried to recess the public hearing and close as the Canadice Board of Health and reconvene as the Canadice Town Board.

APPROVED Ayes 4 Vastola, O’Connor, Gronwall, Crowley
 Nays 0

C. PRIVILEGE OF THE FLOOR:

1. Supervisor Vastola had meetings and site visits to Geneva on The Lake and the Ontario County Landfill. Worthwhile tours.

2. Ontario County Landfill Future; Supervisor Vastola’s desire is a Town Resolution to scale back usage or close it in 2028. It is massive.

*Councilwoman Crowley questioned if the Citizen’s Committee that gathered in 2019 resulted in any timeline that developed from that committee. Kristine Singer indicated much of that information went into the master plan was from that committee. 2028 is when the lease with Casella expires. There is more space that could be permitted. It is a county wide impact. If it closes where will the county waste go and there is a financial impact. NYS is not permitting new landfills and letting existing landfills expand. DEC may require the landfill to stay open. Councilman O’Connor mentioned the landfill was originally operated by Ontario County, but not at a profit so it was turned over to Casella. They started taking in waste other than what Ontario County generated.

*Kristine Singer reported to the Board regarding the year-to-date financial report. Last Wednesday Mengel Metzger and Barr sent a request to Krista for adjustments for line items from 2021 or January 2022. The changes related to moving items to another line item. Attempting to make those changes have impacted the Williamson Law Book program which resulted in issues closing the books. A is ready DA is ready and SW accounts are ready. It’s the two H funds that are not reconciling correcting. There are not any overdrawn accounts, the program is just having difficulty processing the adjustments to show the changes correctly.

D. COMMUNICATIONS:

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

*Look at the Historian article Supervisor Vastola submitted. He also spoke to Historian Jo Bott who is interested in having someone come in to work with her for an eventual transfer of duties.

E. REPORTS:

1. Town Clerk/Tax Collector- Eileen Schaefer.

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

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

APPROVED Ayes 4 Vastola, O’Connor, Gronwall, Crowley
 Nays 0

2. Historian- Margaret Bott.

a. Supervisor Vastola spoke with Jo Bott and they would like to have someone take over the Historian’s position.

3. Code Enforcement Officer- Joseph Miller.

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

b. Two inspections took place for Short-Term Rental applications. We currently have seventeen applications.

4. Planning Board- Theodore Mayhood.

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

5. Zoning Board of Appeals- Linda Moorhouse.

a. Minutes were submitted to the Town Board for January and February (see T.C. file).

6. Highway Superintendent- Jeremy Fraim.

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

b. There were eleven full-fleet plow/salt runs since the February meeting.

c. It took a couple of days to clean up fallen trees in the road and/or right-of-way from wind events.

d. Fixed some holes in shoulders and ends of driveways with gravel.

e. The next round of WQIP grants has been accepted. That is for the Genesee River Watershed project on Lawrence Hill Road.

f. Sold the 2013 Mack truck at auction.

g. Superintendent Fraim would like to delay the replacement of the 2014 truck a year. The whole purchasing process is two years out now. He secured two quotes and would like to submit a letter of intent for a Western Star 47X cab/chassis with Viking plow equipment with a “not to exceed” cost of \$285,000.

Councilman Gronwall motioned, Supervisor Vastola seconded, and it was unanimously approved that a letter of intent be sent by Superintendent Fraim to Western Star and Viking with a “not to exceed” cost of \$285,000 for the Western Star 47X cab/chassis with the Viking plow equipment package.

APPROVED Ayes 4 Vastola, O’Connor, Gronwall, Crowley

Nays 0

- 7. Honeoye Lake Watershed Research Task Force- Councilman Gronwall.
 - a. The written report for the month of February was submitted (see T.C. file).
 - b. There is a link to the winter newsletter which was published on March 8th and available on the Town website and at honeoyelakewatershed.org.
 - c. Very little ice cover on Honeoye Lake this winter.
 - d. The next Muller Field Station “A Talk on the Wild Side” presentation is Thursday March 23rd at 6:00 pm.

- 8. Assessor- Lisa Bennett; Assessor Clerk- Holly Swingle.
 - a. The written report for the month of February was submitted (see T.C. file).

- 9. Water District Operations –
 - a. Rochester Water Authority Operations Report submitted (see T.C. file).
 - b. Councilwoman Crowley indicated usage is below for February, year over year. They are also adjusting for the flush valve so less water is flushed, which is great. The chlorine content is being monitored very closely too.

- 10. Special Reports –
 - a. No special reports.

- 11. Supervisor- Christopher Vastola.
 - a. Kristine Singer outlined what has been happening with the reports and a snapshot of the funds from February can be reviewed.

F. UNFINISHED BUSINESS:

- 1. First responder tax exemption resolution tabled and will remain pending until further information is gathered.

G. NEW BUSINESS:

1. **Resolution Number 18 of 2023** – Authorization To Execute The Town Clerk And Bldg Code Software Support Contract With Williamson Law Book Company

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

APPROVED Ayes 4 Vastola, O’Connor, Gronwall, Crowley
 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 for The Town Clerk is an annual renewable contract at a rate of \$911.00 for 2023 an increase of \$119; and

WHEREAS, this Board purchased the Building & Codes Enforcement Software program from Williamson Law Book Company in 2000; and

WHEREAS, the software support is an annual renewable contract at a rate of \$546.00 for 2023 an increase of \$71; and

WHEREAS, the Budget Officer, Town Clerk and the Code Enforcement Officer recommend the contracts be renewed; now, therefore, be it

RESOLVED, that this Board authorizes the Supervisor to execute said contract and remit the contract fees to Williamson Law Book Company; and, that the Clerk of this Board send a certified copy of this resolution with executed contracts to Williamson Law Book Company and retain a copy of the same in the Town files.

2. Resolution Number 19 of 2023 – Authorization To Solicit Proposals For Town Hall Sidewalk Replacement

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

APPROVED Ayes 4 Vastola, O’Connor, Gronwall, Crowley
 Nays 0

WHEREAS, the Canadice Town Board members agree that significant repair is required to correct deficiencies in the concrete sidewalk leading to the Town Hall and Town Court buildings; and

WHEREAS, the Board is concerned about public safety given the current state of disrepair observed; and

WHEREAS, the Highway Superintendent has prepared Request For Proposal (RFP) documents that outline the required demolition of existing sidewalks, grading, base preparation and installation of a new broom finish concrete sidewalk for egress to the Town Hall and Town Court; and

WHEREAS, this Board approves the proposed RFP as prepared by the Highway Superintendent and reviewed by the Town Supervisor; and

WHEREAS, once proposals are received by the Town Clerk by the date and time contained in the request documents, the Highway Superintendent will assemble a review team within the Town and make a recommendation to this Board for consideration; now, therefore, be it

RESOLVED, that this Board authorizes the advertising and posting of the RFP with bids to be submitted in accordance with the terms and conditions contained in the document therein; and, be it further

RESOLVED, that the Clerk of this Board send certified copies of this resolution to the Highway Superintendent, the Town Supervisor and maintain a copy in the Town’s records.

3. Resolution Number of 2023 – CDs invested by Budget officer NOT USED

*Supervisor Vastola has been laddering the purchasing of CDs with Canandaigua National Bank. The rates vary each time depending on the terms. Councilwoman Crowley indicated the interest received will be helpful for some of the projects we need to address.

4. Canadice Town properties and the Canadice Hollow cemetery mowing out for bid. There is a Lieutenant Kernel buried at the Canadice Hollow cemetery in 1863. Councilman O’Connor mentioned there is a Civil War Veteran buried in the Tibbals Cemetery. CEO Miller is aware of a law passed recently regarding funds from the townships, counties and the state to help with repair and maintenance of abandoned cemeteries. Supervisor Vastola asked CEO Miller to get some of that information to him.

5. Met with union representatives and the Canadice Highway Department regarding concerns over health care costs. Supervisor Vastola is looking at options for assistance in this area.

6. Approval of the Bills –

Councilman O’Connor motioned, Councilman Gronwall seconded, and it was unanimously carried that the bills are to be paid in the following amounts:

ABSTRACT #3 for 2023-

	Voucher	
General/Highway/Water District #1	#68 to #121	\$ 262,628.93
Trust & Agency	#3	\$ 389.04
*Councilman O’Connor questioned one of the vouchers that appear to be duplicated. CEO Miller indicated they are two separate training sessions and not a duplicate voucher.		
APPROVED	Ayes 4	Vastola, O’Connor, Gronwall, Crowley
	Nays 0	

H. PRIVILEGE OF THE FLOOR:

1. Councilwoman Crowley mentioned an Association of Towns article regarding prevailing wage. There are three types of contracts that we should be in compliant with. The building cleaners (\$1590 as of July 1), pest control (\$20.40 hr) and the gardener (\$18.45 hr); unless they are below the \$1500 threshold. Councilwoman Crowley will check with the bookkeeper.

I. ADJOURNMENT:

Councilman O’Connor motioned, Councilman Gronwall seconded, and it was unanimously carried to adjourn the meeting at 9:06 pm.

APPROVED Ayes 4 Vastola, O’Connor, Gronwall, Crowley
 Nays 0

Respectfully submitted, _____ Eileen Schaefer, Town Clerk