

**A. CONVOCAATION:**

1. The Canadice Town Board Meeting was held on June 10, 2019 at 7:30 pm at the Canadice Town Hall.

2. Roll call showed the following-

Present: Councilman John O’Connor and Deputy Supervisor  
Councilman Mark Statt  
Councilman Mark Malmendier  
Councilman Teryl Gronwall

Absent: Supervisor Kristine Singer

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

3. Salute to the Flag.

4. Approval of May 13, 2019 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 Statt motioned, Councilman Gronwall seconded, and it was unanimously carried to approve the minutes of the May 13, 2019 Regular Town Board Meeting.

APPROVED Ayes 4 O’Connor, Statt, Malmendier, Gronwall  
Nays 0

**B. RECONVENE PUBLIC HEARING:**

1. A Public Hearing To Entertain Comments Pertaining To Local Law No. 5 (Intro) Of 2018 Entitled: Amending Chapter 120, Zoning, Article IX, Special Use Permit Procedures And Criteria, Adding Section 120-107, Solar Energy Systems, Of The Town Of Canadice Town Code.

\*Deputy Supervisor O’Connor opened the public hearing. There were no new comments.

Councilman Malmendier motioned, Councilman Statt seconded, and it was unanimously carried to close the public hearing.

APPROVED Ayes 4 O’Connor, Statt, Malmendier, Gronwall  
Nays 0

**C. PUBLIC HEARING:**

1. A Public Hearing To Entertain Comments Pertaining To Local Law No. 3 (intro) of 2019 Entitled: A Local Law Amending Chapter 110, Taxation, Article IV, Cold War Veterans Exemption of the Town of Canadice Town Code.

\*Deputy Supervisor O’Connor opened the public hearing and explained the purpose of the local law is to remove the ten-year limitation. There were no comments.

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

APPROVED Ayes 4 O’Connor, Statt, Malmendier, Gronwall  
Nays 0

**D. PRIVILEGE OF THE FLOOR:** There was no one to be heard.

**E. COMMUNICATIONS:**

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

\*Some discussion took place regarding the SEQR for Hemlock Woolly Adelgid insecticide treatment in the Hemlock-Canadice State Forest and surrounding area. NYS DEC is the lead agency.

**F. REPORTS:**

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

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

b. A check for \$2,487.31 was submitted for the Supervisor that covers the remaining bank interest and penalties from tax collection minus \$6.00 in each bank account (Savings & Checking) to keep the accounts open.

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

APPROVED           Ayes 4           O’Connor, Statt, Malmendier, Gronwall  
                              Nays 0

2. Historian- Mrs. Margaret Bott.

a. No report.

3. Code Enforcement Officer- Mr. Stephen Smith.

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

b. The office hours have changed. Someone will be in the CEO’s office Tuesday, Wednesday and Thursday, no hours on Friday.

4. Planning Board- Mr. Theodore Mayhood.

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

b. Discussed some of the new SEQR forms and some procedural items.

c. Councilman Malmendier questioned the sign on Canadice Lake Road indicating the property is under review. It is posted by the ZBA, not the Planning Board. Further discussion took place.

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

a. No meeting held in May.

6. Highway Superintendent- Mr. Mike Virgil.

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

b. Changing driveway culverts and pothole patching.

c. Final authorization received for the Equipment Storage Facility Project.

d. A consultant came in for employee training to speak on core value development and accountability. Anti-Sexual Harassment training was also administered by the county.

e. Councilman Gronwall questioned using Jersey Hill Road for the detour during construction on County Road 36. Superintendent Virgil will bring up the possibility of using East Lake Road instead at a meeting he will be attending.

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

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

b. Honeoye Lake is in good shape, water clarity was 13.2 feet this morning and the temperature is approximately five degrees colder than it usually is this time of year.

c. Ontario County Soil & Water received filter socks to place around the six prefabricated concrete sediment basins to prevent storm water from going under and around the sediment basins. The work will be scheduled for this summer.

8. Assessor- Mrs. Lisa M. Bennett

a. The written report for the months of April and May were submitted (see T.C. file).

9. Water District Project –

**1. Resolution Number 33 of 2019** – Authorizing Change Order No. 4 For Canadice Water District No. 1 Project

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

APPROVED           Ayes 4           O’Connor, Statt, Malmendier, Gronwall  
                              Nays 0

WHEREAS, this Board authorized the construction of Canadice Water District No. 1; and

WHEREAS, bids were solicited and received for said project; and

WHEREAS, Fineline Pipeline was awarded the bid in the amount of \$4,691,805.00; and

WHEREAS, a request to modify the project cost was submitted due to the need to install helical piles to support the pump station; and

WHEREAS, the engineering firm, LaBella, has reviewed the request, negotiated a fair cost and approved the request; now, therefore, be it

RESOLVED, that this Board approves Change Order No. 4 with the additional \$11,161.50 being reduced from the Contingency Line and re-appropriated to the construction line of the project budget resulting in the contract price being \$4,710,882.28; and, be it further

RESOLVED, that certified copies of this resolution be sent to Kathy Dear from LaBella and Associates, to Fineline Pipeline and retain a copy in the project records.

2. Councilman Malmendier reported interim restoration is being handled, all of the water mains are installed except roughly 300 feet on County Road 36, curb stops are being installed, footers at the pump station are installed, accruing liquated damages starting on the 7th, working on a notice that will inform residents not to install their water service yet. Some of the installers are telling residents they do not need meter pits and that is not correct. That information may be added to the notice.

10. Supervisor- Ms. Kristine Singer.

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

Councilman Statt motioned, Councilman Malmendier seconded, and it was carried to accept the Supervisor’s report.

APPROVED           Ayes 4           O’Connor, Statt, Malmendier, Gronwall  
                          Nays 0

**G. UNFINISHED BUSINESS:**

**1. Resolution Number 34 of 2019** – Adoption of Local Law No.5 (Intro) Of 2018 Entitled: Amending Chapter 120, Zoning, Article IX, Special Use Permit Procedures And Criteria, Adding Section 120-107, Solar Energy Systems, Of The Town Of Canadice Town Code.

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

APPROVED           Ayes 4           O’Connor, Statt, Malmendier, Gronwall  
                          Nays 0

WHEREAS, a Public Hearing was duly held at the Canadice Town Hall on the 10th day of June, 2019 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 No. 5 (Intro) of 2018 as Local Law No. 4 of 2019 entitled: A Local Law Amending Chapter 120, Zoning, Article IX, Special Use Permit Procedures and Criteria, Adding Section 120-107, Solar Energy Systems, of the Town of Canadice Town Code; and, be it further

RESOLVED, that the Clerk of this Board is hereby directed to send certified copies of this resolution along with a copy Local Law No. 4 of 2019 to the Secretary of State for filing within that office and to General Code Publishers for incorporation into our code book.

**2. Resolution Number 35 of 2019** – Adoption of Local Law No. 3 (intro) of 2019 Entitled: A Local Law Amending Chapter 110, Taxation, Article IV, Cold War Veterans Exemption, of the Town of Canadice Town Code

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

APPROVED           Ayes 4           O’Connor, Statt, Malmendier, Gronwall  
                          Nays 0

WHEREAS, a Public Hearing was duly held at the Canadice Town Hall on the 10th day of June, 2019 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 No. 3 (Intro) of 2019 as Local Law No. 3 of 2019 entitled: A Local Law Amending Chapter 110, Taxation, Article IV, Cold War Veterans Exemption, of the Town of Canadice Town Code; and, be it further

RESOLVED, that the Clerk of this Board is hereby directed to send certified copies of this resolution along with a copy of Local Law No. 3 of 2019 to the Secretary of State for filing within that office and to General Code Publishers for incorporation into our code book.

**H. NEW BUSINESS:**

**1. Resolution Number 36 of 2019 – Authorization To Execute A Roadside Mowing Contract with Ontario County**

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

APPROVED           Ayes 4           O’Connor, Statt, Malmendier, Gronwall  
                              Nays 0

WHEREAS, Ontario County desires to continue having the Town of Canadice mow the roadsides along designated County roads within the Town; and

WHEREAS, Canadice Highway Superintendent Michael Virgil, and this Board agree with the renewal of the terms set forth in the contract presented for the 2019 season; now, therefore, be it

RESOLVED, that this Board gives authorization to the Supervisor to execute the contract renewal containing the same terms as the 2008 contract with adjusted rates of \$26.36 for a single mower and \$36.90 for boom style mowers plus labor and fringe benefits paid at actual cost; and, be it further

RESOLVED, that the Clerk of this Board send a signed copy of the executed renewal agreement along with a certified copy of this resolution to William Wright, Commissioner of Public Works, Michael Virgil, Canadice Highway Superintendent and retain a copy of said agreement for Town records.

**2. Resolution Number 37 of 2019 – Authorization To Execute A Contract With Raymond F. Wager, CPA, P.C., A Division of Mengel Metzger Barr & Co., LLP, For An Audit Of Agreed Upon Procedures**

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

APPROVED           Ayes 4           O’Connor, Statt, Malmendier, Gronwall  
                              Nays 0

WHEREAS, this Board wishes to conduct an external audit to identify any areas of concern; and

WHEREAS, Raymond F. Wager, CPA, P.C., A Division of Mengel Metzger Barr & Co., LLP, has submitted a proposal for said audit; and

WHEREAS, funding for the audit has been included in the 2019 budget; now, therefore, be it

RESOLVED, that this Board directs the Supervisor to execute the contract with Raymond F. Wager, CPA, P.C., A Division of Mengel Metzger Barr & Co., LLP, to conduct an audit per their proposal; and, be it further

RESOLVED, that the cost of the audit will not exceed \$3,900 in accordance with the contract; and, be it further

RESOLVED, that the Clerk of this Board send a copy of this resolution and copy of the signed contract to Raymond F. Wager, CPA, P.C., A Division of Mengel Metzger Barr & Co., LLP.

3. **Resolution Number 38 of 2019** – Authorization To Execute A Contract Amendment For Services Provided By LaBella Associates, D.P.C. Pertaining To The Construction Of Water District No. 1 Councilman Gronwall motioned, Councilman Malmendier seconded, and it was unanimously carried to approve the resolution.

APPROVED           Ayes 4           O’Connor, Statt, Malmendier, Gronwall  
                          Nays 0

WHEREAS, this Board is currently pursuing the construction of Water District No. 1 along the County Road 36 corridor within the Town; and

WHEREAS, a referendum was presented to those within the district on August 20, 2011 and approved by the voters; and

WHEREAS, LaBella Associates, D.P.C has provided services regarding the preparation of the Map, Plan and Report and associated services after the referendum passed to advance the project to the point of receiving funding and in anticipation of construction oversight; and

WHEREAS, partial funding was obtained from Rural Development and this Board entered into an agreement with LaBella Associates, D.P.C. for the administration of those funds; and

WHEREAS, additional funding was obtained in the form of grant funds from the Environmental Facilities Corporation; and

WHEREAS, there are significant requirements and procedures to be followed to access these funds to complete this project; and

WHEREAS, this Board retained LaBella Associates, D.P.C. for engineering services on this project with Resolution Number 35 of 2014; and

WHEREAS, this Board also entered into an agreement with LaBella Associates, D.P.C. for Grant Management Services with Resolution Number 19 of 2018 for the project; and

WHEREAS, construction began on the District with the Order To Proceed issued on May 9, 2018; and

WHEREAS, the project has encountered construction delays and will require services to continue beyond the time stated in the original agreements; and

WHEREAS, LaBella Associates, D.P.C. has provided a contract amendment to enable continuation of the services required to bring the project to completion; now, therefore, be it

RESOLVED, that this Board authorizes the Supervisor to execute the amendment with LaBella Associates, D.P.C. for services pertaining to the construction of Canadice Water District #1; and, be it further

RESOLVED, that the Clerk of this Board send certified copies of this resolution to Mr.

Michael Schaffron and Ms. Kathleen Dear both of LaBella Associates, D.P.C. and retain a copy in the records of the Town.

4. Approval of the Bills –

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

ABSTRACT #6 for 2019-

	Voucher	
General/Highway Account	#213 to #255	\$240,671.47
Trust & Agency	#6	\$ 375.44
APPROVED	Ayes 4	O’Connor, Statt, Malmendier, Gronwall
	Nays 0	

**I. PRIVILEGE OF THE FLOOR:**

1. A couple that lives in Canadice suggested the Town put a sign up at the parking lot for Canadice Lake to try and make people more mindful/respectful of the property. They regularly pick up a great deal of trash and litter. They were reminded the Town did not own the property and it would have to be DEC that would install any signage.

**J. ADJOURNMENT:**

Councilman O'Connor motioned, Councilman Statt seconded, and it was unanimously carried to adjourn the meeting at 8:16 pm.

APPROVED           Ayes 4           O'Connor, Statt, Malmendier, Gronwall  
                              Nays 0

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