

A. CONVOCAATION:

1. The Canadice Town Board Meeting was held on July 14, 2014 at 7:30 pm at the Canadice Town Hall.

2. Roll call showed the following-

Present: Supervisor Kristine Singer
Councilman John O’Connor
Councilman William Hershey
Councilman Mark Statt
Councilman Mark Malmendier

Others Present: Nine (9) guests/residents attended the Regular Town Board Meeting.

3. Salute to the Flag.

4. Approval of June 9, 2014 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.

APPROVED Ayes 5 Singer, O’Connor, Hershey, Statt, Malmendier
Nays 0

Councilman Malmendier motioned, Councilman Statt seconded, and it was unanimously carried to approve the minutes of the June 9, 2014 Town Board Meeting.

B. PUBLIC HEARING: To Entertain Comments Pertaining To The Adoption Of Local Law Number 1 (Intro) Of 2014 Entitled: A Local Law Pursuant To Chapter 97-2011 Of The Laws Of The State Of New York And Section 3-C Of The General Municipal Law Overriding Tax Levy Limit For Fiscal Year 2015

*Supervisor Singer explained the purpose of the law and asked if anyone had comments or questions; no one had any.

Councilman O’Connor motioned, Councilman Hershey seconded, and it was unanimously carried to close the public hearing.

APPROVED Ayes 5 Singer, O’Connor, Hershey, Statt, Malmendier
Nays 0

C. PRIVILEGE OF THE FLOOR:

1. Mrs. Herbison asked if the timeline for the water district is accurate. Supervisor Singer briefly commented on the status of the project and that we are trying to stay with the current timeline posted on the website. So far nothing has been found during the archeological dig, which is good for the status of the grant. Mrs. Herbison also asked if natural gas is still a possibility. Supervisor Singer indicated it is still being considered and worked on.

2. Robin Johnson, Director of Ontario County Real Property Tax Department- Tax Freeze Legislation Presentation.

*Director Johnson provided a packet of information including the certification schedule for filing a tax freeze compliance certification, a copy of the legislation, a printout “Understanding the New Property

Tax Freeze Legislation” and a sheet of data relevant to Canadice that includes possible percentages of eligible tax payers for a (credit) refund check. A refund check is based on the difference in the current year’s levy to the prior year’s levy. If the tax levy remains the same or is lower, the refund check is based on the prior year tax multiplied by the tax levy credit factor (.0146 currently). The tax payer must be eligible for a Star Exemption, and have no tax payer liability. The town tax levy must stay within the tax cap which is 1.46% this year and that the tax levy is tax freeze compliant. If a tax cap over-ride has been passed it must be rescinded prior to January 21st. There are more items factored into the formula that are specific to each situation. The plan has to be submitted by next June. NYS will be monitoring and calculating the refund. The refund check will most likely be relatively small.

*In year two all of the above requirements apply for a tax payer to be eligible for a refund and the town must have a government efficiency plan in place that accounts for a 1% tax savings every year for three years. At this point, a prior efficiency the town may already be taking advantage of will be considered for the program.

*The new reporting requirements: Every data file used by the county to process tax rolls and bills will be forwarded to the State. Both proposed and adopted budgets have to be filed with the State and the county would like a copy of the proposed budget emailed in advance to review. Director Johnson thanked the Board for their time and to let her know if there are any questions.

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/Tax Collector for the month of June was submitted (see T. C. file).

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

APPROVED Ayes 5 Singer, O’Connor, Hershey, Statt, Malmendier
 Nays 0

2. Historian- Mrs. Margaret Bott.

a. No report.

3. Code Enforcement Officer- Mr. Robert Best.

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

b. **Resolution Number 42 of 2014 – Unsafe Structure Findings**

Mr. Best indicated the property owner is aware of the process the Town would be considering tonight and he will be contacting some local contractors to hopefully resolve the issue before the Town has to handle the demolition.

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

APPROVED Ayes 5 Singer, O’Connor, Hershey, Statt, Malmendier

Nays 0

WHEREAS, The Code Enforcement Officer has made numerous inspections and filed a report which included photographs pursuant to Section 304 of the Property Maintenance Code of NYS and Chapter 58-1 with respect to property located at 6523 South Old Bald Hill Road, Springwater, NY, and being further identified as tax map number 180-1-37.200; and

WHEREAS, The Code Enforcement Officer has provided credible information that the barn upon the premise is in fact in violation of said code and as the result of continued neglect the Code Enforcement Officer has deemed the structure unsafe pursuant to Chapter 58-1 of the Canadice Town Code; and

WHEREAS, The Code Enforcement Officer has made repeated attempts to contact the property owner; and WHEREAS, The property owner indicated he would repair or demolish the structure in response to the notification of the violation; and

WHEREAS, As of this date no action has been taken to resolve the pending violations; and

WHEREAS, The Code Enforcement Officer has notified the Town Board that the barn has not been repaired or removed as directed; and

WHEREAS, The Town Board has had due consideration hereon;

NOW, THEREFORE, BE IT

RESOLVED, That the Town Board finds such structure as identified by the Code Enforcement Officer at 6523 South Old Bald Hill Road, Springwater, NY, in violation as defined by Section 304 of the Property Maintenance Code of NYS and Chapter 58-1 of the Canadice Town Code; and, it is further

RESOLVED, That the property owner is ordered to remove the structure in accordance with the report of the Code Enforcement Officer that is attached hereto and made a part of this resolution by reference; and, it is further

RESOLVED, That the hearing shall be held on the 11th day of August 2014 before the Town Board of the Town of Canadice with at least five (5) days' notice to the owner of the property and any others having an interest therein to affirm, modify or vacate this order, and to assess all costs and expenses incurred by the Town for the removal of such structure, and to assess such costs and expenses against the land on which this debris is situated; and, be it further

RESOLVED, That the property owner is ordered to complete the aforementioned and identified removal within thirty (30) days of service of the Notice; and, it is further

RESOLVED, That the Town or its duly appointed agent may enter and make the necessary demolition in the event that the owner fails to complete said removal within thirty (30) days; and, it is further

RESOLVED, That a copy of this resolution be sent to the Code Enforcement Officer, Town Attorney, and property owner.

c. Resident Concerns 6199 Southwest Shores- Mr. Best received correspondence, emails and calls regarding the application the Planning Board will be reviewing at their July meeting.

4. Planning Board- Mr. Theodore Mayhood.

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

b. Natural Resource Extraction Committee is meeting regularly.

c. Still looking for the Comprehensive Plan update and willing to help anyway they can.

d. The Planning Board has an opening for an alternate member. Councilman O'Connor questioned why the Alternate Planning Board Member is only paid a stipend when they vote on an action and not every meeting. After some discussion the Town Board made no changes to the procedure for the payment of a

stipend for an Alternate Planning Board Member.

e. A site plan application for a home expansion in the Honeoye Lakeshore District is in the works. They are submitting a variance application to the ZBA first.

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

a. June approved minutes were submitted (see T.C. file).

6. Highway Superintendent- Mr. Mike Virgil

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

b. Road Damage – South Old Bald Hill Rd. Superintendent Virgil has contacted the logger and the Forestry Consultant to discuss the damage. He will follow-up with a formal letter.

7. Honeoye Lake Watershed Research Taskforce- Councilman Hershey.

a. Blue-green algae testing completed weekly.

b. Water clarity is reducing now.

c. Weed harvesting started the 7th on Honeoye Lake. Betsy Landry from Ontario County, Terry and Dorothy Gronwall, operators of the harvester and Councilman Hershey visited Chautauqua Lake to observe their harvesting program.

d. Dorothy & Terry Gronwall are working on a project to extensively map the macrophytes in the lake in order to make the harvesting program more efficient.

e. A grant was applied for to cover the engineering, permitting and surveying costs for the project on the inlet to reduce sediment and nutrients.

f. Councilman Malmendier asked if there had been any mention about discouraging or banning the use of lawn fertilizers certain distances from the shoreline. Mr. Gronwall indicated NYS passed a statewide law banning fertilizers with phosphorus and they do caution property owners frequently about their practices.

g. Councilman O'Connor asked about the weeds that wash up on private property and aren't picked up? Councilman Hershey indicated they can't force people to clean up the weeds that wash up on their shore. Chautauqua Lake has a shoreline debris pickup service which helps with their harvesting program. However, all of the weeds that wash up on the shoreline are not from the harvester. Some of that debris is from weeds that die off before the harvesting starts.

h. Councilman O'Connor questioned the payment of waterline marking. Supervisor Singer indicated the Town has been paying to mark water lines for senior citizens that can't mark their own line for a long time. It used to be included in our chargebacks instead of paying for it directly.

8. Assessor- Mrs. Lisa M. Bennett

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

9. Special Reports-

a. Fire District Contracts – Councilman O'Connor went to the last Springwater Fire Commissioners meeting and indicated they needed to get something on their next agenda to provide the information Councilman O'Connor has been requesting. Springwater will check with the Livingston County Coordinators and Richmond to find out exactly how many calls they handled. Councilman O'Connor will be meeting with them to discuss everything. Supervisor Singer received a letter from the Richmond Fire

District. They are requesting an increase of \$25K in their contract to cover Springwater’s Ambulance service area for 2014. Councilman O’Connor did not think the increase was reasonable considering the estimated number of ambulance calls they covered for Springwater and their estimated cost of \$500 per call. He indicated Springwater also requested that Richmond check with Ontario County so we would have exact numbers of calls Richmond responded to for Springwater. Supervisor Singer indicated Hemlock Fire protection may merge with Livonia. After further discussion regarding the contracts, Supervisor Singer indicated the 2015 budget requests will be needed for the Fire Districts so the numbers are ready for our budget process.

b. Employee Handbook – Councilman Malmendier used the Canandaigua Employee Handbook as a model and started working on a Canadice Employee Handbook. Superintendent Virgil has some information for Councilman Malmendier that may be helpful for the handbook.

10. Supervisor- Ms. Kristine Singer.

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

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

APPROVED Ayes 4 O’Connor, Hershey, Statt, Malmendier
 Abstained 1 Singer
 Nays 0

b. Town of Richmond request for a contribution towards the fireworks display for the 4th of July celebration. Supervisor Singer indicated \$950 was returned by the Senior Citizens Club and can be used towards this request.

Supervisor Singer motioned, Councilman Malmendier seconded, and it was carried to pay \$1,250 to the Town of Richmond.

APPROVED Ayes 4 Singer, Hershey, Statt, Malmendier
 Nays 1 O’Connor

F. UNFINISHED BUSINESS:

1. Resolution Number 43 of 2014 – Adoption Of Local Law Number 1 (Intro) Of 2014 Entitled: A Local Law Pursuant To Chapter 97-2011 Of The Laws Of The State Of New York And Section 3-C Of The General Municipal Law Overriding Tax Levy Limit For Fiscal Year 2015

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

APPROVED Ayes 5 Singer, O’Connor, Hershey, Statt, Malmendier
 Nays 0

WHEREAS, A Public Hearing was duly held at the Canadice Town Hall on the 14th day of July, 2014 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

	Voucher#	
General Account		\$ 16,928.96
Highway Account		<u>\$113,032.33</u>
Total General, Highway	#243 to #296	\$129,961.29
Trust & Agency	#8 to #9	\$ 2,577.94
APPROVED	Ayes 5	Singer, O'Connor, Hershey, Statt, Malmendier
	Nays 0	

H. PRIVILEGE OF THE FLOOR:

1. Councilman Malmendier mentioned that Barbara Christoff has been negotiating and is selling a large section of her property to DEC. She is aware of the subdivision process that will need to take place. DEC will add the parcel to their existing forest lands around Canadice and Hemlock Lake.
2. Councilman Malmendier suggested no parking signs should be posted on one side of Canadice Lake Road in the area by the south drive-in boat launch. It has been a hazard with cars parked on both sides of the road.

I. ADJOURNMENT:

Councilman O'Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to adjourn the meeting at 9:53 pm.

APPROVED	Ayes 5	Singer, O'Connor, Hershey, Statt, Malmendier
	Nays 0	

Respectfully submitted, _____ Eileen Schaefer, Town Clerk