

A. CONVOCAATION:

- 1. The Canadice Town Board Meeting was held on July 9, 2018 at 7:30 pm at the Canadice Town Hall.
- 2. Roll call showed the following-

Present: Supervisor Kristine Singer
 Councilman John O’Connor
 Councilman Mark Statt
 Councilman Mark Malmendier
 Councilman Teryl Gronwall

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

- 3. Salute to the Flag.

- 4. Approval of June 11, 2018 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 Statt seconded, and it was unanimously carried to approve the minutes of the June 11, 2018 Regular Town Board Meeting;

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

With the following correction: Pg. 6, G, Privilege of the Floor, remove \$39 fee information, does not apply to the Town contract.

B. PUBLIC HEARINGS:

- 1. To Entertain Comments Pertaining To The Adoption Of Local Law Number 2 (Intro) Of 2018 Entitled: A Local Law Amending Chapter 110, Taxation, Article II, Senior Citizens Exemption, Of The Town Of Canadice Town Code.

*Supervisor Singer opened the public hearing, and no one had any comments or questions regarding raising the senior exemption levels.

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

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

- 2. To Entertain Comments Pertaining To The Adoption Of Local Law Number 3 (Intro) Of 2018 Entitled: A Local Law Amending Chapter 110, Taxation, Adding Article V, Solar And Wind Energy Exemption, Of The Town Of Canadice Town Code.

*Supervisor Singer opened the public hearing and explained the Town must pass a local law in order to opt out of the exemption.

*Mr. Burch Craig feels the Town should allow the exemption to encourage the use of green energy.

Supervisor Singer indicated it also shifts the tax burden to the rest of the tax payers. The Assessor asked to have the local law brought forward. The language was taken from Ontario County’s version; they opted out of the exemption. After further discussion regarding the intent of the law and what value it may have, it was

decided to recess the public hearing to get more clarification from the Assessor.

Councilman O'Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to recess the public hearing.

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

3. To Entertain Comments Pertaining To The Adoption Of Local Law Number 1 (Intro) Of 2018 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 2019.

*Supervisor Singer opened the public hearing. We have not overridden our tax levy limit previously, but with the new water district we will not be able to avoid it.

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

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

4. To Entertain Comments Pertaining To The Adoption Of Local Law Number 4 (Intro) Of 2018 Entitled: A Local Law Amending Chapter 16, Officers And Employees, Article V, Changing The Highway Superintendent Position From An Elected Position To An Appointed Position, Of The Town Of Canadice Town Code.

*Supervisor Singer opened the public hearing and explained that this resolution would bring before the voters in November an option of changing the elected Highway Superintendent position to an appointed position. The proposition would be on the November ballot for the voters to decide if the job would no longer be an elected office. If approved by the voters, the job description could be written to include residency.

After further discussion Councilman O'Connor motioned, Councilman Gronwall seconded, and it was unanimously carried to close the public hearing.

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

C. PRIVILEGE OF THE FLOOR:

1. Richmond Fire District Commissioner Mr. Harry Hawes and current Richmond Fire Department Chief Richard Frost introduced themselves and addressed the Board regarding their upcoming budget process and their fiscal challenges for 2019. The Governor passed the cancer bill which will raise their insurance approximately \$250 to \$350 and he is ignoring the Fair Play Bill. This means they are unable to bill an insurance carrier if someone they transport has insurance. The Fair Play Bill needs to be supported. In 2016 they transported 87 people from Canadice. Last year they transported 159 people and currently have already transported 87 people from Canadice. BLS (Basic Life Support) transport costs \$353 just for the medic and an ALS (Advanced Life Support) transport costs \$607 per call not counting mileage which is around \$7.10 per mile. There have been more and more calls transporting people to Strong instead of Thompson and sometimes they go to Rochester General. One of the ambulances needs to be replaced and it will cost around \$200K. The monitors that are required on the ambulances are around \$30K each and need to be replaced on both ambulances. The paid staff is a little over \$150K and if they operate 24/7 with paramedics, it will add

another \$100K. Supplies run approximately \$1,000 a month. Right now, there is paramedic staff onsite three days a week for 12-hour service and four days a week for 24-hour service. They are working on their budget request right now and will have something to turn in soon. Supervisor Singer suggested a lease-purchase for the new ambulance making it easier to maintain newer equipment. Chief Frost indicated they have started looking at leasing. Superintendent Virgil will send them the information he uses.

*Councilman Malmendier questioned the impact for Richmond taking over the Springwater coverage for Canadice. Chief Frost indicated it didn't have an impact other than they didn't have to wait to be called out.

2. Mr. Paul O'Leary addressed the Board regarding some issues of brown water running into Honeoye Lake at the Cratsley Hill gully headwall that he has been observing. It had begun to deteriorate, and two sink holes had opened above it. After a meeting with many people and agencies, the problem was mitigated. An email has been sent regarding another issue. In this instance it appears more mitigating measures are being incorporated and there is a permit. Thanks to Councilman Gronwall and Councilman Malmendier for responding. Mr. O'Leary feels the issues with the lake are from these gullies, homeowners and businesses around the lake. He would like everyone to be more proactive watching for these issues and finding ways to prevent brown water getting into the lake and publicize the need for getting a permit from DEC when working in a gully or stream that leads to the lake.

*Councilman Gronwall explained what happened during his phones calls to address Mr. O'Leary's concerns and that measures are continually being implemented to slow down the water from the hillsides and gullies.

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

APPROVED Ayes 5 Singer, 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 June was submitted (see T. C. file).

b. The ZBA will hear the Hallett's appeal this coming Wednesday. Mr. Burch Craig questioned why there wasn't an agenda posted on the website for their meeting. Some discussion also took place regarding training requirements for both the Planning Board and Zoning Board of Appeals.

4. Planning Board- Mr. Theodore Mayhood.

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

b. Mr. Christopher Vastola reported for Mr. Mayhood. He passed out a copy of a letter from the Richmond Supervisor regarding a comprehensive plan update and indicated it might be time for Canadice to process an update. Some discussion/suggestions took place regarding the process and the survey that might be used.

c. Councilman Gronwall questioned some information in the Planning Board draft minutes regarding changing motor boat laws in our Town code. Councilman Gronwall also mentioned that all the boating laws in Canadice and Richmond are currently the same. Mr. Craig mentioned the suggestion was to change the distance to 200' that a boat could be from shore unless you are going to be docking or mooring. Councilman Gronwall indicated that if any language were to be changed in the boating laws, the Town of Richmond would have to be involved since that section of the town code is identical for both towns.

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

a. No meeting held in June.

6. Highway Superintendent- Mr. Mike Virgil.

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

b. Mixed paving on the balance of Canadice Lake Road should be completed this week.

c. Ditching and driveway culverts are mostly completed. There were culvert pipe surveys conducted on Middle and Curtis Roads.

d. First round of mowing completed.

e. Still power loss issues with truck #2.

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

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

b. Honeoye Lake is doing incredibly well under the conditions we have been experiencing.

c. The HLWTF met June 26th and there was very positive feedback on the HABS action plan and negative feedback on the funding of the HABS action plan.

d. Some concerns have cropped up regarding the 35 sewer lift stations around the lake; 13 of them do not have back-up generators. Ontario County Public Works is concerned about the situation.

e. **Resolution Number 50 of 2018:** Supporting Submission Of A NYS DEC Water Quality Improvement Project Consolidated Funding Application With 25% Local Match For The Honeoye Lake Aquatic Management Program

After some discussion, Councilman Gronwall motioned, Supervisor Singer seconded, and it was carried to approve the resolution.

APPROVED	Ayes 5	Singer, Statt, Malmendier, Gronwall
	Nays 1	O'Connor

WHEREAS, the County of Ontario wishes to pursue grant funding to support the purchase of a custom conveyor to improve shoreline weed management services to reduce impacts from HABS; and WHEREAS, Ontario County in cooperation with the Towns of Canadice and Richmond have operated an effective seasonal aquatic weed harvesting program for the past 29 years; and WHEREAS, the program was expanded to include some shoreline collection of weed fragments to further enhance the program and reduce the introduction of additional nutrients to the waters that promote HABS;

and

WHEREAS, collection of the shoreline weeds would be greatly enhanced with the addition of a conveyor to transport the weeds from the shore to the barge; and

WHEREAS, the Town of Canadice supports the purchase of a conveyor for a cost not to exceed \$55,000 with the Town’s local match not to exceed \$3,437.50 with support from the grant funds and the Town of Richmond; now, therefore be it

RESOLVED, that the Town Board of the Town of Canadice supports the submission of the grant application and agrees to the 25% local match for the purchase of the conveyor as stated above; and, be it further

RESOLVED, that a copy of this resolution be forwarded to Betsy Landre, Ontario County Planning Department, 20 Ontario Street, Canandaigua, NY 14424.

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. Water District Update –

- 1. \$3,000,000 Bond Sale took place for the BAN- The low bid was from Jefferies LLC at 2.144% net interest. It will close on the 19th of July.
- 2. Still working on the MWBE paperwork filing.
- 3. Councilman Malmendier indicated the tank site has been surveyed and they will begin clearing this week. Williamson Law Book software has been installed and a draft letter has been generated for the service connection sign-up. Once everyone looks it over and makes suggestions or changes it can be printed and mailed out. The actual connection specifications need to be looked over by LaBella before they become available.

b. Integrated Solutions Systems – Councilman Malmendier reported on the automatic back-up system that has been installed with a much better firewall and tomorrow the Assessor’s new PC will be installed.

10. Supervisor- Ms. Kristine Singer.

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

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

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

F. UNFINISHED BUSINESS:

1. **Resolution Number 51 of 2018:** Adoption of Local Law Number 2 (Intro) Of 2018 Entitled: A Local Law Amending Chapter 110, Taxation, Article II, Senior Citizens Exemption, Of The Town Of Canadice Town Code.

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

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

WHEREAS, a Public Hearing was duly held at the Canadice Town Hall on the 9th day of July, 2018 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 2 (Intro) of 2018 as Local Law Number 2 of 2018 entitled: A Local Law Amending Chapter 11, Taxation, Article II, Senior Citizens 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 Number 2 of 2018 to the Secretary of State for filing within that office and to General Code Publishers for incorporation into our code book.

2. Resolution Number 52 of 2018: Adoption Of Local Law Number 3 (Intro) Of 2018 Entitled: A Local Law Amending Chapter 110, Taxation, Adding Article V, Solar And Wind Energy Exemption, Of The Town Of Canadice Town Code

TABLED per the discussion during the public hearing.

3. Resolution Number 53 of 2018: Adoption Of Local Law Number 1 (Intro) Of 2018 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 The Tax Levy Limit For Fiscal Year 2019

Councilman O’Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to approve the resolution.

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

Nays 0

WHEREAS, a Public Hearing was duly held at the Canadice Town Hall on the 9th day of July, 2018 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 2018 as Local Law Number 1 of 2018 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 the Tax Levy Limit for Fiscal Year 2019; and, be it further

RESOLVED, that the Clerk of this Board is hereby directed to retain a copy of Local Law Number 1 of 2018 in the Town records and send a copy of Local Law Number 1 with a copy of this resolution to the Secretary of State for filing within that office and to General Code Publishers for reference.

4. Resolution Number 54 of 2018: Adoption Of Local Law Number 4 (Intro) Of 2018 Entitled: A Local Law Amending Chapter 16, Officers And Employees, Article V, Changing The Highway Superintendent

Position From An Elected Position To An Appointed Position, Of The Town Of Canadice Town Code Councilman Malmendier motioned, Councilman O’Connor seconded, and it was unanimously carried to approve the resolution.

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

WHEREAS, a Public Hearing was duly held at the Canadice Town Hall on the 9th day of July, 2018 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 4(Intro) of 2018 as Local Law Number 3 of 2018 entitled: A Local Law Changing the Highway Superintendent Position from an Elected Position to an Appointed Position; 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 Number 3 of 2018 to the Ontario County Board of Election for inclusion on the November ballot, and if ratified, to the Secretary of State and General Code Publishers.

5. Resolution Number 55 of 2018: Authorization To Execute Protected Price Agreement With Burnwell/Superior For Propane Through April 30, 2019

Councilman Malmendier motioned, Councilman O’Connor seconded, and it was unanimously carried to approve the resolution.

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

WHEREAS, propane vendors had been canvassed requesting price quotes for fuel for the Town facilities; and

WHEREAS, Burnwell Gas offered the lowest locked-in price of \$1.759 per gallon and has a NYS bid contract; and

WHEREAS, the agreement will be in effect through April 30, 2019 for the 2018-19 heating season; and

WHEREAS, this Board has reviewed said agreement and agrees it is in the best interest of the Town to execute the agreement with Burnwell/Superior Gas; now, therefore, be it

RESOLVED, that this Board authorizes the Supervisor to execute said agreement with Burnwell/Superior Gas for the above-mentioned term; and, be it further

RESOLVED, that the Clerk of this Board send a certified copy of this resolution with the executed contract to Amanda King at Burnwell/Superior Gas and retain a copy in the Town files.

G. NEW BUSINESS:

1. Post Issuance Compliance Policies And Procedures -

a. Resolution Number 56 of 2018: Resolution Of The Town Board Of The Town Of Canadice, Ontario County, New York (The “Town”) Authorizing And Adopting Post Issuance Compliance Policies And Procedures Related To The Town’s Tax-Exempt Obligations, Such Policies And Procedures Intended To Ensure That The Requirements Imposed Upon The Town Pursuant To The Internal Revenue Code Of

1986, As Amended, Will Be Satisfied

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

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

A meeting of the Town Board of the Town of Canadice, Ontario County, New York, held at the Town Hall, 5949 County Road 37, Springwater, New York 14560, on July 9, 2018 at 7:30 o’clock p.m., prevailing time.

The meeting was called to order by Supervisor Kristine Singer, and upon roll being called, the following were:

PRESENT: Supervisor Kristine Singer
 Councilman John O’Connor
 Councilman Mark Statt
 Councilman Mark Malmendier
 Councilman Teryl Gronwall

ABSENT: N/A

The following resolution was offered by Councilman Statt, who moved its adoption, seconded by Councilman Gronwall, to-wit:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF CANADICE, ONTARIO COUNTY, NEW YORK (THE “TOWN”) AUTHORIZING AND ADOPTING POST ISSUANCE COMPLIANCE POLICIES AND PROCEDURES RELATED TO THE TOWN’S TAX-EXEMPT OBLIGATIONS, SUCH POLICIES AND PROCEDURES INTENDED TO ENSURE THAT THE REQUIREMENTS IMPOSED UPON THE TOWN PURSUANT TO THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, WILL BE SATISFIED

WHEREAS, the Town of Canadice, Ontario County, New York (the “Town”) previously has issued bond and notes (the “Tax-Exempt Obligations”), the interest on which is excluded from gross income of the owners thereof pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, the Town intends to issue additional series of Tax-Exempt Obligations in the future; and

WHEREAS, in order to ensure that the interest on the Town’s Tax-Exempt Obligations will continue to be excluded from gross income of the owners thereof for purposes of federal income taxation, and that the Town complies with its tax certifications relating to the Tax-Exempt Obligations, the Town Board has determined, based on the advice of the Town’s Bond Counsel, to adopt certain written Post-Issuance Compliance Policies and Procedures in the form attached hereto as Exhibit A and made a part hereof (the “Post-Issuance Compliance Procedures”).

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Canadice, Ontario County, New York (the “Board”), as follows:

Section 1. The Board hereby approves and adopts the Post-Issuance Compliance Procedures.

Section 2. The Board hereby appoints the Town Supervisor of the Town to serve as the “Designated Tax Compliance Official” under the Post-Issuance Compliance Procedures and hereby authorizes and directs the Town Supervisor, acting in such capacity, to take such actions, after appropriate consultation with Bond Counsel to the Town, as the Town Supervisor deems necessary, appropriate or desirable to effect the implementation of the Post Issuance Compliance Procedures, and hereby further authorizes the Town

Supervisor, as such Designated Tax Compliance Official, to delegate to such other Town officials or employees as the Town Supervisor shall determine is necessary or appropriate, the responsibility to take certain specific actions called for by the Post-Issuance Compliance Procedures.

Section 3. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows.

<u>Supervisor Kristine Singer</u>	VOTING	<u>Aye</u>
<u>Councilman John O'Connor</u>	VOTING	<u>Aye</u>
<u>Councilman Mark Statt</u>	VOTING	<u>Aye</u>
<u>Councilman Mark Malmendier</u>	VOTING	<u>Aye</u>
<u>Councilman Teryl Gronwall</u>	VOTING	<u>Aye</u>

The foregoing resolution was thereupon declared duly adopted.

EXHIBIT A
TOWN OF CANADICE
POST-ISSUANCE COMPLIANCE POLICIES AND PROCEDURES

Related to Tax-Exempt Obligations

Adopted: July 9, 2018

These Post-Issuance Compliance Policies and Procedures (the "Procedures") are adopted by **TOWN OF CANADICE**, Ontario County (the "Town") to ensure that interest on tax-exempt obligations of the Town (the "Bonds") remains excludable from gross income under Section 103 of the Internal Revenue Code of 1986 (the "Code").

In order to ensure continued compliance with requirements of the Code and the applicable regulations (the "Applicable Federal Tax Law") associated with the issuance of Bonds, the Town will consult with the Town's bond counsel, in advance, regarding deviations from the facts and expectations set forth in the closing certifications relating to any issue of Bonds.

If as a result of changes to the Applicable Federal Tax Law or the New York State Local Finance Law these Procedures are in conflict with such laws, the Town will consult with Bond Counsel regarding the proper course of action, including amending these Guidelines.

I. Procedures

The Town Supervisor of the Town (the "Designated Tax Compliance Official") is the primary person to consult with the Town's bond counsel ("Bond Counsel"), financial advisor and other advisors on a continual basis for the entire term of the Bonds. The Designated Tax Compliance Official may delegate to his or her staff or other District personnel or contract with independent contractors (such as an arbitrage/rebate consultant) responsibility for different aspects of post-issuance tax compliance. However, the Designated Tax Compliance Official will be ultimately responsible for implementing the procedures described herein.

II. Securing Closing Documents

Following each issuance of Bonds, the Designated Tax Compliance Official or his or her designee will:

- a. Confirm the filing of the Form 8038 or Form 8038-G (or applicable successor form) with Internal Revenue Service ("IRS"). Filing of the applicable Form 8038 is usually undertaken or overseen by Bond Counsel at or soon after the closing of a bond issue.
- b. Obtain and store the Transcript of Proceedings prepared by Bond Counsel (which typically includes the applicable Form 8038 and the Arbitrage and Tax Certificate containing the Town's expectations as of the date of issuance of the bond issue).

III. Recordkeeping

The Designated Tax Compliance Official or his or her designee will:

- a. Establish a plan for keeping relevant books and records as to the investment and the expenditure of bond proceeds.
- b. Keep accurate records including:
 - (i) Basic records relating to the bond transactions including the bond resolutions, closing documents, and the Bond Counsel Opinion (see Securing Closing Documents, above);
 - (ii) Documentation evidencing the expenditure of bond proceeds;
 - (iii) Documentation evidencing use of bond-financed property by public and private sources (*i.e.*, copies of leases, management contracts);
 - (iv) Documentation evidencing all sources of payment or security for the bonds; and
 - (v) Documentation pertaining to any investment of bond proceeds (including the purchase and sale of securities, subscriptions for United States Treasury Securities-State and Local Government Series (“SLGs”), yield calculations for each class of investments, actual investment income received from the investment of proceeds, guaranteed investment contracts and rebate calculations).
- c. Keep all records in a manner that ensures their complete access to the IRS so long as they are material.
- d. Keep the relevant records for each issue of bonds for as long as such issue of bonds is outstanding (including any bonds issued to refund such issue of bonds) plus three years after the final redemption date of the bonds.

IV. Arbitrage Rebate and Arbitrage Yield Restriction

The Designated Tax Compliance Official or his or her designee will:

- a. Engage the services of the Town’s financial advisor or an arbitrage/rebate consultant for assistance in compliance with arbitrage related issues.
- b. Consult with the Town’s bond counsel, and/or financial advisor to determine if an issue of Bonds is exempt from the rebate requirement under the exception for “small issuers” (Section 147(f)(4)(D) of the Code).
- c. Work with the Town’s bond counsel, financial advisor and/or arbitrage/rebate consultant to monitor compliance with “temporary period exceptions” for expenditure of bond proceeds, typically three years for new money bonds and provide for yield restriction of investments or “yield reduction payments” if exceptions are not satisfied.
- d. Work with the Town’s bond counsel and financial advisor to ensure investments acquired with bond proceeds are purchased at fair market value. This may include use of bidding procedures under the regulatory safe harbor (Section 1.148-5(d) of the Regulations).
- e. Consult with the Town’s bond counsel or arbitrage rebate consultant prior to the creation of funds which would reasonably be expected to be used to pay debt service on tax-exempt bonds to determine in advance whether such funds must be invested at a restricted yield (*i.e.*, yield restricted).
- f. Consult with the Town’s bond counsel and financial advisor before engaging in post issuance credit enhancement transactions (*e.g.*, bond insurance, letter of credit) or hedging transactions (*e.g.*, interest rate swap, cap).
- g. Consult with the Town’s bond counsel, financial advisor, and/or arbitrage rebate consultant to identify situations in which compliance with applicable yield restrictions depends upon subsequent

WHEREAS, this Board agrees it is in the best interest of the residents of the Town of Canadice to adopt this resolution; now, therefore, be it

RESOLVED, that taken together, the Action Plan and WQIP application rules make ineligible or impractical state funding or application for funding of both engineering studies and actual implementation the In-Lake HABS Actions recommended for Honeoye Lake and the construction of any extension of the Honeoye Lake County Sewer District; and further

RESOLVED, that this Board request that the Governor and Legislature of the State of New York recognize the great need for implementation of In-Lake HABS Actions for Honeoye Lake and future extension of the Honeoye Lake County Sewer District and:

1. Direct DEC to continue to work with the County, municipalities, local agencies, local interest groups, and state and federal agencies to establish permitting procedures for the In-Lake HABS Actions.
2. Either make funding available in future years or direct DEC to conduct the bench testing and engineering studies and environmental reviews necessary to implement the In-Lake HABS Actions.
3. Recognize that implementation of the In-Lake HABS Actions and any extension of the Honeoye Lake County Sewer District are likely to cost between 4 and 7 million dollars, and
 - a. either reserve funding from the current WQIP grant or commit funding for future implementation once clear application and permitting processes are created, or
 - b. identify a different funding mechanism to lessen the burden on local municipalities to fund the 25% local share on a limited tax base.

RESOLVED, that certified copies of this resolution be sent to Governor Cuomo, State Senator Helming, State Senator Funke, Assemblyman Kolb, Clerk to the Ontario County Board of Supervisors, Ontario County Planning Director, the Town of Richmond, and the Commissioner of the New York State Department of Environmental Conservation.

3. 2019 Fire District Contracts – Already discussed during Privilege of the Floor and Councilman O’Connor will follow-up with Richmond.

4. Approval of the Bills –

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

ABSTRACT #7 for 2018-

	Voucher	
General/Highway/Capital Water Project	#265 to #302	\$ 92,272.20
Trust & Agency	#8 to #9	\$ 3,735.49
APPROVED	Ayes 5	Singer, O’Connor, Statt, Malmendier, Gronwall
	Nays 0	

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

I. ADJOURNMENT:

CANADICE REGULAR TOWN BOARD MEETING

July 9, 2018

Councilman O'Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to adjourn the meeting at 9:44 pm.

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

Respectfully submitted, _____ Eileen Schaefer, Town Clerk