

Canandaigua Town Board
Meeting Agenda
December 21, 2015
6:00pm

1. Call To Order and Pledge of Allegiance
 - Pledge led by Ralph Brandt, Town Councilman
2. Roll Call
 - Town Clerk Confirmation meeting was properly advertised
3. Circulation of Written Communications and Correspondence
 - Email, Karl and Helga Boelter, Residents of Overlook Lane, Old Brookside Trail, December 14, 2015
 - Letter, Time Warner Cable, Chris Mueller, Director of Local Franchising, New Monthly Prices Effective on Next Billing Statement
 - Newsletter, DePaul, Annual Appeal, December 7, 2015
 - Notification, NY-Alert, Ontario, Victor, Sewage Discharge, December 8, 2015
 - Newsletter, DePaul, Trolley Station News, December 7, 2015
 - Letter, Time Warner Cable, Chris Mueller, Director of Local Franchising, Programming Updates, December 2, 2015
 - Notification, NYS DCJS, Sex Offender Details, December 1, 2015
 - Letter, The American Legion Auxiliary, Thanking the Town for the Gift Basket for the 28th annual Rose Cornish Memorial Craft and Baked Goods Bazaar
 - Newsletter, The Chronicles of the Ontario County Historical Society Museum and Research Center, Volume 44, Issue 4, December 2015
 - Newsletter, Office for the Aging, Winter 2015
 - Letter, U.S. Salt, LLC., Information on their Coalition, November 23, 2015
 - Letter, Time Warner Cable, Chris Mueller, Director of Local Franchising, Programming Updates, November 18, 2015
 - Notification, NYS DCJS, Sex Offender Details, November 17, 2015
 - Newsletter, DePaul Community Services Inc., Fall 2015, Volume XXI, Edition III
 - Letter, Time Warner Cable, Chris Mueller, Director of Local Franchising, Programming Updates, November 4, 2015
 - Letter, Department of Public Service, Department Actions and Proceedings, October 7, 2015
4. Privilege of the Floor
 - Mr. Michael Bryant, Old Brookside Trail
 - Mr. Al Kraus, Organics Recycling Proposal
5. Presentations
 - **Resolution 2015 – 294 HONORING COUNCILMAN RALPH BRANDT FOR HIS DISTINGUISHED SERVICE TO THE COMMUNITY**
6. Public Hearings
 - Continued Public Hearing on the Proposed Text Code Amendments to Section 220-37, Motor Vehicle Service Stations and Motor Vehicle Repair Stations.
 - Continued Public Hearing on the proposed additions to Town Code including Chapters 170 (Stormwater Management) and 172 (Stormwater Pollution Prevention).
7. Priority Business

8. Reports of Town Officials and Department Heads – (Attachment 1)
 - A. Director of Parks & Recreation
 - B. Highway Superintendent
 - C. Water Superintendent
 - D. Assessor
 - E. Development Director
 - F. Historian
 - G. Town Clerk
 - H. Supervisor
 1. Monthly Financial Report for November 2015
 - a. Revenue & Expense Report
 - b. EFPR Solutions Executive Summary
 - c. Bank Reconciliation Report
 - d. Overtime Report All Departments
 - e. Overtime Report –Highway & Water

9. Reports of Committees, Boards, and Commissions
 - A. Planning Board
 - B. Zoning Board of Appeals
 - C. Environmental Conservation Board
 - D. Public Works Committee – Campus Study Update
 - E. Technology Committee
 - F. Safety/Security Committee
 - G. Strategic Planning Committee
 - H. Citizens Implementation Committee
 - I. Personnel Committee

10. Privilege of the Floor

11. Resolutions

Continued Resolutions:

RESOLUTION NO. 2015-31: RECOMMENDATION FOR THE PURCHASE OF WASTE & RECYCLING EQUIPMENT

WHEREAS, Senator Nozzolio on behalf of the Town of Canandaigua secured \$50,000 in funding from the Dormitory Authority of State of New York (DASNY); and

WHEREAS, it is the intent of the Town Board to accept this grant in order to upgrade certain Transfer Station operations and equipment; and

WHEREAS, the Public Works Committee was charged with determining the best use of these funds and is now recommending the Town Board authorize the following improvements and expenditures:

- A 16 x 24 building that meets the NYS Department of Environmental Conservation requirements for used electronics storage; estimated cost \$12,500.00; and a
- 250- gallon waste oil tank that meets the NYS Department of Environmental Conservation Petroleum Bulk Storage requirements; estimated cost \$2,500.00; and a
- Waste Trash Compactor; estimated cost \$35,000.00; and

WHEREAS, the DASNY grant requires the Town to pay for these purchases up front and seek subsequent reimbursement therefore the Supervisor/Budget Officer is recommending a temporary loan from the Contingency & Tax Stabilization reserve fund of \$50,000; and

WHEREAS, expenditures from the Contingency & Tax Stabilization reserve fund require 2/3 vote of the Town Board and written recommendation from the Supervisor with conditions for the amount to be expended; and

WHEREAS, the written recommendation from the Supervisor and the conditions for the amount to expend are included in this resolution; and

NOW THEREFORE BE IT RESOLVED, that the Canandaigua Town Board hereby authorizes the Highway Superintendent to make the purchases described above in accordance with the Town of Canandaigua Procurement Policy at a cost not to exceed \$50,000.00; and

BE IT FURTHER RESOLVED, that

1. The Canandaigua Town Board hereby approves a temporary loan from Contingency and Tax Reserve fund for the purchase of the specified equipment; and
2. The Canandaigua Town Board hereby directs the Town Clerk to forward copies of this resolution to the Town Bookkeeper and EFPR Solutions.

RESOLUTION # 2015 – 263: ADOPTION OF A TEXT CODE AMENDMENT (LOCAL LAW # _____) TO STRIKE § 220-37(M) RELATIVE TO MOTOR VEHICLE SERVICE STATIONS AND MOTOR VEHICLE REPAIR STATIONS WITHIN 1,000 FEET OF ONE ANOTHER

WHEREAS, the Town Board of the Town of Canandaigua is considering a Text Code Amendment (Local Law # _____) in Chapter 220.Zoning Article VI. Regulations Governing Special Permit Uses. §220-37. Motor Vehicle Service Stations and Motor Vehicle repair stations. (M) pertaining to a one thousand foot buffer between properties of motor vehicle service stations and motor vehicle repair stations; and

WHEREAS, Town of Canandaigua Town Code § 220-37 (M) currently states:

No motor vehicle service station and no outdoor gasoline or oil pump shall be established on a lot that is within 1,000 feet of another lot measured along the same street frontage on which there is an existing motor vehicle service station or outdoor gasoline or oil pump or of another lot for which a building permit has been issued for the erection of a proposed motor vehicle service station.

WHEREAS, if adopted the proposed action would strike § 220-37(M) as detailed above; and

WHEREAS, the Town Board of the Town of Canandaigua held a public hearing on the proposed text code amendment on October 19, 2015, and continued such hearing to November 16, 2015; and

WHEREAS, the Town of Canandaigua has conducted a full coordinated project review with outside agencies; and

WHEREAS, the Town Board of the Town of Canandaigua has completed SEQRA finding that the proposed action will not result in any significant adverse environmental impacts; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby adopts Local Law # ____ striking section § 220-37 (M) from the Town Code of the Town of Canandaigua.

New Resolutions:

RESOLUTION NO. 2015 – 270: ACCEPTANCE OF THE NOVEMBER MONTHLY FINANCIAL REPORTS

WHEREAS, the Town Board is responsible for the general oversight of the Town's operations and finances; and

WHEREAS, the Town Supervisor, as Chief Financial Officer, is responsible for providing financial reports to the Town Board; and

WHEREAS, the Town Supervisor has provided the Town Board with hard copies and electronic copies of the November 2015 Monthly Revenue/Expense Control Report, bank reconciliation reports, cash summary report, EFPR Solutions Executive Summary Report, as well as the 2014 and 2015 year to date Highway/Water Department Overtime Report and All Department Overtime Report (Attachment 1); and

NOW THEREFORE BE IT RESOLVED, the Canandaigua Town Board hereby confirms receipt and acceptance of these items.

RESOLUTION NO. 2015 – 271: CANANDAIGUA CONSOLIDATED WATER FUND TRANSFERS

WHEREAS, EFPR Solutions has identified several budget transfers totaling \$189,622.66 that should have been made during the years 2006 – 2011; and

WHEREAS, these funds were for labor and materials that should have been transferred from the special district fund to the Canandaigua Consolidated Water Fund when projects were completed; and

WHEREAS, the amounts to be transferred to the Canandaigua Consolidated Water Fund are as follows:

1. From Cdga-Bristol water district ext. (S-246A) - \$ 53,096.25.
This project was completed in 2008.
2. From County Road 30 water district ext. 36 (S-247B) - \$ 82,266.78.
This project was completed in 2006.
3. From Cdga Consolidated water district (S-247) - \$ 14,266.63.
This was unappropriated fund balance that was to be moved into the Canandaigua Consolidated Water Fund.
4. From Hickox Road Water District (S-248D) - \$40,000.
This district was completed in 2011.

NOW THEREFORE BE IT RESOLVED, that the Canandaigua Town Board hereby authorizes the transfer of the above funds from the special districts identified to the Canandaigua Consolidated Fund (F.5031).

RESOLUTION NO. 2015 – 272: ESTABLISHMENT OF PETTY CASH FOR RECEIVER OF TAXES

WHEREAS, the Receiver of Taxes has determined that \$100 in petty cash as approved in previous years is not a sufficient to provide change to 2016 payers Town / County tax bills; and

WHEREAS, the Receiver of Taxes is requesting an increase from \$100 to \$300 for petty cash for the months of January through March 2016; and

WHEREAS, the Receiver of Taxes accepts fiscal responsibility for the petty cash monies; and

NOW THEREFORE BE IT RESOLVED, the Town Board acknowledges the need for the increase in petty cash and hereby approves the petty cash amount of \$300 for the Receiver of Taxes.

RESOLUTION NO. 2015 – 273: ADOPTION OF THE 2016 FEE SCHEDULE

WHEREAS, the Director of Development, Director of Parks and Recreation, Highway / Water Superintendent, Supervisor, and Town Clerk, have been working together to amend the Town's Fee Schedule to include all fees collected by the Town as requested by the Town Board; and

WHEREAS, these department heads and elected officials have presented a revised Fee Schedule to the Town Board for consideration (Attachment 2); and

NOW THEREFORE BE IT RESOLVED, the Town Board has reviewed, discussed, and determined that the fees identified in the 2016 Fee Schedule are reasonable and hereby adopts the Town's 2016 Fee Schedule effective January 1, 2016.

RESOLUTION NO. 2015 – 274: ACCEPTANCE OF THE CITIZEN'S IMPLEMENTATION COMMITTEE PROJECT TEAM RECOMMENDATIONS, AND DIRECTIVE TO CONTINUE WORK WITH EACH PROJECT TEAM

WHEREAS, the Town Board of the Town of Canandaigua created the Citizen's Implementation Committee (C.I.C.) to assist in the implementation of the Town of Canandaigua's Comprehensive Plan; and

WHEREAS, the Town Board approved the 2015 action steps for the C.I.C. which include the items in progress by each of the Project Teams; and

WHEREAS, the C.I.C. along with the Project Teams have updated the Town Board, Planning Board, Zoning Board of Appeals, and Environmental Conservation Board regarding the status of each project through a joint meeting held on October 26, 2015; and

WHEREAS, the C.I.C. has provided written recommendations to the Town Board with regard to the status and the next course of action for each of the five Project Teams (Ag Team, Natural Resource Inventory Team, Conservation Team, Sewer Master Plan Team, and Mixed Use Overlay Team) (Attachment 3); and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua wishes to extend their appreciation to the C.I.C. and all of the Project Team members for all of their work and time during the course of 2015; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua hereby accepts the C.I.C.'s Recommendation Memo dated December 1, 2015; and

BE IT FINALLY RESOLVED, the Town Board of the Town of Canandaigua directs the C.I.C. and Director of Development to move forward with each Project Team in bringing forth legislative proposals for consideration by the Town Board as identified in the C.I.C.'s memo dated December 1, 2015.

RESOLUTION NO. 2015 – 275: SETTING A PUBLIC HEARING ON A TEXT CODE AMENDMENT TO TOWN CODE CHAPTER 18, SECTION 3, ENVIRONMENTAL CONSERVATION BOARD; CHAIRMAN, RULES OF PROCEDURE, RECORDS

WHEREAS, the Town of Canandaigua Town Board would like to hear from residents regarding a proposal to amend the Town Code of the Town of Canandaigua, § 18-3, pertaining to the Environmental Conservation Board's rules of procedure and record keeping;

WHEREAS, this proposed text code amendment would remove the portion of § 18-3, requiring a recording secretary be selected from among Environmental Conservation Board members and replace with the following:

Section One. Legislative Intent. The intent of this Local Law is to update, clarify, and amend § 18-3 of the Town of Canandaigua Town Code.

§ 2. Town of Canandaigua Town Code § 18-3 is hereby amended to read in its entirety as follows:

At their annual organizational meeting, the Town Board shall designate a member of the ECB to act as Chairman thereof. The ECB shall adopt rules and procedures for its meetings. It shall keep accurate records of its meetings and activities to be filed with the Town Clerk and shall file an annual report as provided in § 18-6 of this chapter.

§ 3. Severability Clause. The provisions of this local law are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this local law.

§ 4. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

WHEREAS, the Town Board of the Town of Canandaigua has included in the Town of Canandaigua 2016 Town Budget to the ECB (A.8020.160); and

WHEREAS, it is the intent of the Town of Canandaigua Town Board to act as LEAD AGENCY for the purposes of SEQR for this proposed text code amendment should the Town Board choose to further take action (Attachment 4); and

WHEREAS, the Town Board of the Town of Canandaigua would like to receive comments from all interested stakeholders for the purposes of making an informed decision; and

WHEREAS, it is the intention of the Town Board of the Town of Canandaigua to complete SEQR findings based on feedback received from interested stakeholders and the general public once the public hearing has been held and upon completion; and

WHEREAS, the Town Board of the Town of Canandaigua intends to hold a public hearing on the proposed text amendments at the regularly scheduled meeting of the Town Board of the

Town of Canandaigua at 6:00pm on January 11, 2016 at the location of the Town Hall 5440 NYS Route 5 & 20 West Canandaigua; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby establishes a public hearing to be held on January 11, 2016 at 6:00pm at the Canandaigua Town Hall (identified above); and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua directs the Director of Development to circulate LEAD AGENCY coordination request, proposed text code amendment § 18-3, and the Short Environmental Assessment Form part 1 project information to the following agencies: the Town of Canandaigua Environmental Conservation Board, the Town of Canandaigua Planning Board, the Town of Canandaigua Zoning Board of Appeals, and the Ontario County Planning Board, and

BE IT FINALLY RESOLVED, the Town Board directs the Town Clerk to provide notice of a public hearing scheduled for January 11, 2015 at 6:00pm on the proposed text code amendment in the official newspaper, on the Town's website and on the Town's email distribution system.

RESOLUTION NO. 2015 – 276: ACCEPTANCE AND AUTHORIZATION OF CIC RECOMMENDATION TO UTILIZE LABELLA ASSOCIATES FOR TOWN OF CANANDAIGUA AGRICULTURE ENHANCEMENT PLAN

WHEREAS, the Town Board of the Town of Canandaigua (Town Board) has received a recommendation from the Citizen's Implementation Committee (CIC) and the Ag Project Team to hire a firm to assist the community through the creation of a Town of Canandaigua Agriculture Enhancement Plan; and

WHEREAS, the Town Board authorized an application to the NYS Department of Agriculture and Markets (Resolution # 2014-190) for a grant for an Agriculture Enhancement Plan; and

WHEREAS, the Town Board has received notice of an award from the NYS Department of Agriculture and Markets in the amount of \$ 25,000 (Contract # T800831) for the creation of a Town of Canandaigua Agriculture Enhancement Plan; and

WHEREAS, the Town Board authorized the issuance of an RFQ/RFP for the Town of Canandaigua Agriculture Enhancement Plan (Resolution # 2015 – 80) drafted and completed by the CIC, Director of Development, and the Ag Project Team; and

WHEREAS, the Town Board completed SEQR determining non-significance for the acceptance of a NYS Department of Agriculture and Markets grant in the amount of \$ 25,000 (Resolution # 2015 – 207); and

WHEREAS, the Town Board authorized the acceptance of the NYS Department of Agriculture and Markets grant (Resolution # 2015 – 226) in order to move forward with the Town of Canandaigua Agriculture Enhancement Plan; and

WHEREAS, the RFQ/RFP was advertised with eighteen possible firms receiving notification of the RFQ/RFP, and information provided to a combination of four organizations for information dissemination including the Town of Canandaigua website; and

WHEREAS, the Ag Project Team held a discovery meeting on November 5, 2015 with four potential respondents to the RFQ/RFP; and

WHEREAS, three proposals were submitted to the Town of Canandaigua Director of Development by the November 20, 2015 deadline; and

WHEREAS, it is the recommendation of the CIC and the Ag Project Team that LaBella Associates' proposal (dated November 20, 2015) be selected to complete the Town of Canandaigua Agriculture Enhancement Plan (Attachment 5); and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua authorizes the Town Supervisor and Director of Development to execute all documents relative to the acceptance of the LaBella Associates' proposal dated November 20, 2015 for a Town of Canandaigua Agriculture Enhancement Plan with an estimated cost of \$ 25,000; and

BE IT FURTHER RESOLVED, the Director of Development provide a monthly update to the Town Board regarding the status of the project.

RESOLUTION NO. 2015 – 277: ACCEPTANCE AND APPROVAL OF PLANNING BOARD REMOTE ATTENDANCE POLICY

WHEREAS, the Town of Canandaigua Town Board met jointly with the Town of Canandaigua Planning Board on November 16, 2015; and

WHEREAS, it was requested the Planning Board provide a draft remote attendance policy to the Town Board for consideration; and

WHEREAS, on December 8, 2015 the Planning Board met and unanimously recommended a remote attendance policy (Attachment 6) to allow members of the Planning Board to participate by videoconferencing as identified in the New York State Open Meetings Law, and to ensure that the public has an adequate opportunity to participate in the Planning Board process; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby accepts and approves the Remote Attendance Policy for the Town of Canandaigua Planning Board.

RESOLUTION NO. 2015 – 278: ACCEPTANCE OF PLANNING BOARD RECOMMENDATION AND ADDITION OF THE PADELDFORD BROOK GREENWAY PLAN AS AN ADDENDUM TO TOWN OF CANANDAIGUA COMPREHENSIVE PLAN

WHEREAS, the Town Board of the Town of Canandaigua (Town Board) has received a recommendation from the Town of Canandaigua Planning Board (Planning Board) to add the Padelford Brook Greenway Plan (December 8, 2015) as an addendum to the Town of Canandaigua's Comprehensive Plan; and

WHEREAS, the Planning Board, Environmental Conservation Board, Citizen's Implementation Committee, and Agriculture Project Team have recommended the plan to help identify areas of wetlands, floodplains, agricultural and farming activity, statewide importance and prime soils, and wildlife corridors; and

WHEREAS, the Planning Board has proposed the Padelford Brook Greenway Plan in April 2015, revised in May 2015, revised in July 2015, and finally revised on December 8, 2015 to consider long term planning for the northern portions of the Town of Canandaigua where increased development pressure exists; and

WHEREAS, the Town of Canandaigua Development Office on May 28, 2015 coordinated review of the Padelford Brook Greenway plan with Ontario County Planning Board, the Town of Canandaigua Planning Board, the Town of Canandaigua Historian, the Ontario County Agriculture Review Board, the Town of Farmington, the Town of East Bloomfield, the Town of Hopewell, the Town of Manchester, and the Town of Canandaigua Environmental Conservation Board; and

WHEREAS, the Town Board held public hearings on the Padelford Brook Greenway Plan on May 12, 2015; June 15, 2015; July 20, 2015; August 17, 2015; and September 21, 2015; and

WHEREAS, the Town Board held a public hearing to make a Determination of Non-Significance as set forth in § 617.7(c)(1) of the SEQR Regulations, thereby determining that the proposed action will not result in any significant adverse environmental impacts; and

WHEREAS, the Town Board identified the areas of the Padelford Brook Greenway, thereby approving the implementation of Phase I of the Padelford Brook Greenway at their July 20, 2015 (Resolution # 2015-161) meeting; and

WHEREAS, the Town Board approved the resolution (Resolution #2015-205) and adoption of Local Law 5 of 2015 amending the official zoning map of the Town of Canandaigua, thereby implementing Phase II of the Padelford Brook Greenway at their September 21, 2015 meeting; and

WHEREAS, the Planning Board by resolution has recommended the revised Padelford Brook Greenway Plan dated December 8, 2015 (Attachment 7) be recorded as an addendum to the Town of Canandaigua's Comprehensive Plan; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby accepts the recommendation of the Planning Board; and

BE IT FURTHER RESOLVED, the Town Board by this action of adoption of this resolution hereby approves the Padelford Brook Greenway (December 8, 2015) as an addendum of the Town of Canandaigua's Comprehensive Plan.

**RESOLUTION NO. 2015 – 279: SOIL STABILIZATION AND EROSION CONTROL SURETY
1880 NYS ROUTE 332 (TAX MAP # 55.02-1-7.100)**

WHEREAS, the Town of Canandaigua Planning Board has granted one stage site plan approval for the demolition of the existing buildings and farm structures, and construction of a 5,560 square foot commercial building, the construction of two 4,400 square foot buildings, and a 2,500 retail building at 1880 NYS Route 332 (Tax Map # 55.02-1-7.100); and

WHEREAS, the Town of Canandaigua Planning Board has determined that a soil stabilization and erosion control surety is to be provided and accepted by the Town Board prior to the issuance of building permits; and

WHEREAS, the project engineer (McCord Landscape Architecture, PLLC) has provided a soil stabilization and erosion control estimate in the amount of \$ 39,453.43; and

WHEREAS, the town engineer (MRB Group) has reviewed the proposed estimates and found them to be satisfactory to meet the conditions of approval and the work to be completed (Attachment 8); and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approves and accepts a soil stabilization and erosion control surety in the amount of \$ 39,453.43 in the form of a letter of credit.

RESOLUTION NO. 2015 – 280: SOIL EROSION CONTROL SURETY 3455 MIDDLE CHESHIRE ROAD (TAX MAP # 97.04-1-19.110)

WHEREAS, the Town of Canandaigua Planning Board has granted single stage subdivision and one state site plan approval for a 3-lot subdivision, tear-down an existing single family dwelling, and construct a new single family residence at 3455 Middle Cheshire Road (Tax Map # 97.04-1-19.110); and

WHEREAS, the Town of Canandaigua Planning Board has determined that a soil erosion control surety is to be provided and accepted by the Town Board prior to the issuance of building permits; and

WHEREAS, the project engineer (Marathon Engineering) has provided a soil erosion control estimate in the amount of \$ 5,902; and

WHEREAS, the town engineer (MRB Group) has reviewed the proposed estimates and found them to be satisfactory to meet the conditions of approval and the work to be completed (Attachment 9); and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approve and accept a soil erosion control surety in the amount of \$ 5,902 in the form of a check/cash.

RESOLUTION NO. 2015 – 281: SOIL EROSION CONTROL SURETY 4947 COUNTY ROAD 16 (TAX MAP # 154.06-1-7.1)

WHEREAS, the Town of Canandaigua Planning Board has granted final site plan approval for construction of a porch at 4947 County Road 16 (Tax Map # 154.06-1-7.1); and

WHEREAS, the Town of Canandaigua Planning Board has determined that a soil erosion control surety is to be provided and accepted by the Town Board prior to the issuance of building permits; and

WHEREAS, the project engineer (Venezia and Associates) has provided a soil erosion control estimate in the amount of \$ 945; and

WHEREAS, the town engineer (MRB Group) has reviewed the proposed estimates and found them to be satisfactory to meet the conditions of approval and the work to be completed (Attachment 10); and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approve and accept a soil erosion control surety in the amount of \$ 945 in the form of a check/cash.

RESOLUTION NO. 2015 – 282: THANKING CAROL INGLE FOR HER SERVICE AS A MEMBER OF THE TOWN OF CANANDAIGUA ZONING BOARD OF APPEALS

WHEREAS, the Town of Canandaigua Town Board would like to thank Town of Canandaigua Zoning Board of Appeals member Carol Ingel for her service to the Town of Canandaigua; and

WHEREAS, Carol has attended numerous training sessions to further her knowledge of planning and zoning practices including the Genesee Finger Lakes Planning Association, and others; and

WHEREAS, Carol dedicated her time and talents as she reviewed dozens of projects throughout the Town of Canandaigua during her time on the Town of Canandaigua Zoning Board of Appeals from December 9, 2014 through December 31, 2015; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua would like to offer most heartfelt appreciation, and thank Carol Ingle for her service to the Town of Canandaigua.

RESOLUTION NO. 2015 – 283: COMPLIANCE WITH FARMINGTON SEWER USE LAW

WHEREAS, Canandaigua Town Code 162-3 expressly provides that where the Town of Farmington provides public sanitary sewers in the Town of Canandaigua those sanitary sewers shall be subject to all of the requirements of the Town of Farmington relative to sanitary sewers, and

WHEREAS, the Town of Farmington adopted Local Law #6 of 2015 on 8/11/2015 that updated Chapter 125 of the Farmington Town Code that governs sanitary sewers, (“Farmington Local Law”), and

WHEREAS, the Town of Canandaigua desires to formally acknowledge that the Farmington Local Law applies to sanitary sewers located in the Town of Canandaigua that are serviced by the Town of Farmington,

NOW, THEREFORE, BE IT RESOLVED that, the Town Board:

1. Acknowledges and otherwise ratifies the Farmington Local Law as applicable to certain sanitary sewer districts located in the Town of Canandaigua by operation of Canandaigua Town Code 162-3.

2. The Farmington Local Law shall be enforced by the Town of Farmington, from time to time, and by the Town of Canandaigua to the extent necessary to confer jurisdiction on the Town of Farmington, as though the same local law had been adopted by the Town of Canandaigua.

RESOLUTION NO. 2015 – 284: SETTING A PUBLIC HEARING REQUIRING PROPERTY OWNER’S TO INSTALL A PRESSURE REDUCING VALVE

WHEREAS a local law, being proposed Local Law No. ___ of 2016, a copy of which follows, was introduced at this meeting by a member of the Town Board, and

TOWN OF CANANDAIGUA

LOCAL LAW NO. _____ OF THE YEAR 2016

Be it enacted by the Town of Canandaigua Town Board as follows:

Section 1.

Section 206-14 of the Canandaigua Town Code is hereby amended as follows:

§ 206-14. Pressure Reducing Valves Required; Town Not Liable for Change of Water Pressure.

The Owner of a property supplied by water by the Town of Canandaigua is required to install a Pressure Reducing Valve of a type and kind approved by the Town of Canandaigua.

No water districts or the Town of Canandaigua shall be liable for any damage or loss of any kind to property or persons which may arise from or be caused by any change, either increase or decrease, in pressure of water supplies from any cause whatever, including negligence on the part of the water district, its agents, servants or employees.

Section 2.

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of the Local Law or the application thereof to other persons or circumstances, and the Town of Canandaigua Town Board hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent

Section 3.

All Ordinances, Local Laws and parts thereof inconsistent with this Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with section twenty-seven of the Municipal Home Rule Law.

WHEREAS the Town Board desires to hold a public hearing with respect to the adoption of said Local Law,

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held by the Town Board with respect to the adoption of the aforesaid local law at 6:00 p.m. on January 11, 2016, at the Town Hall of the Town of Canandaigua, 5440 Route 5 & 20 West, New York, and it is further

RESOLVED that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

RESOLUTION NO. 2015 – 285: REQUEST TO ACCEPT 284 AGREEMENT FOR THE EXPENDITURE OF 2016 HIGHWAY FUNDS

WHEREAS, The Highway Superintendent has provided a 284 Agreement for the proposed 2016 expenditures of highway money (Attachment 11); and

WHEREAS, the amount of the proposed funds to be used is \$ 1,767,520.00 for the maintenance of 102.60 miles of town roads; and

NOW THEREFORE BE IT RESOLVED, the Town Board hereby approves the Part 248 Agreement and directs the Town Clerk to retain one copy of the executed agreement and to forward a second copy to the Ontario County Highway Superintendent's Office.

RESOLUTION NO. 2015 – 286: REQUEST TO APPROVE 2016 ONTARIO COUNTY COURT SECURITY CONTRACT

WHEREAS, the Town has identified the need for additional court security in the operation of its Town Court and, therefore desires to obtain said services from the County; and

WHEREAS, the County desires to provide such services for the compensation and on the terms as described on Attachment 12; and

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approves the contract and the Town Supervisor is authorized to undertake all actions necessary, proper and/or incidental to complete the execution of the contract, if any; and

BE IT FURTHER RESOLVED, the Town Clerk is hereby directed to return 3 copies of the signed agreement with original signatures to Ontario County prior to December 26, 2014.

RESOLUTION NO. 2015 – 287: INTEGRATED SYSTEMS PROFESSIONAL AGREEMENT

WHEREAS, the Town of Canandaigua's existing service contract with Integrated Systems for 100 hours at \$75 per hour is about to expire; and

WHEREAS, the Town's current provider, Integrated Systems, has provided the Town with a quote for 100 hours at \$75 per hour (Attachment 13); and

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Canandaigua authorizes the Supervisor to execute the 100-hour agreement with Integrated Systems.

RESOLUTION NO. 2015 – 288: ESTABLISHING 2016 EMPLOYEE WAGE RATES & PAYMENT SCHEDULE

The Town Board does hereby fix employee wages and frequency of payment as noted below:

Name	Position	2016 Rate	Wage Calculated	Frequency
CW	Court Clerk, PT	\$28.17	Hourly	Bi-weekly
David Prull	Town Justice	\$23,486.00	Annual Stipend	Bi-weekly
Walter Jones	Town Justice	\$23,486.00	Annual Stipend	Bi-weekly
SM	Clerk, Part-Time	\$10.86	Hourly	Bi-weekly
SP	Finance Clerk II	\$16.00	Hourly	Bi-weekly
Pam Helming	Budget Officer	\$4,394.00	Annual Stipend	Bi-weekly
KS	Bookkeeper	\$26,520.00	Annual Salary	Bi-weekly
Pam Helming	Town Supervisor	\$56,000.00	Annual Stipend	Bi-weekly
	Town Board Members	\$4,871.10	Annual Stipend	Bi-weekly
		\$3,490.00		
	Planning Board, Chair		Annual Stipend	Quarterly
	Planning Board Members	\$2,194.00	Annual Stipend	Quarterly
	Zoning Board of Appeals, Chair	\$1,801.00	Annual Stipend	Quarterly
	Zoning Board Members (4)	\$816.00	Annual Stipend	Quarterly
	ZBA Alternate	\$68.00	Per Voting Meeting	Quarterly
	ZBA Secretary P/T	\$14.20	Hourly	Bi-weekly
	Environmental Conservation Board Members	\$25.00	Per Voting Meeting	Quarterly
	Assess. Board of Review, Chair	\$500.00	Annual Stipend	Quarterly
	Assess. Board of Review Members	\$250.00	Annual Stipend	Quarterly
Jim Fletcher	Water Superintendent	\$15,606.00	Annual Stipend	Bi-weekly
Greg Westbrook	Deputy Supervisor	\$2,000.00	Annual Stipend	Bi-weekly
Jim Fletcher	Highway Superintendent	\$70,380.00	Annual Stipend	Bi-weekly
Pat Curran	Deputy Highway Superintendent	\$3,008.00	Annual Stipend	Bi-weekly
BH	Deputy Town Clerk F/T	\$16.39	Hourly	Bi-weekly
JM	Deputy Town Clerk P/T	\$14.83	Hourly	Bi-weekly
Jean Chrisman	Town Clerk	\$55,570.00	Annual Stipend	Bi-weekly
Jean Chrisman	Registrar of Vital Statistics	\$1,800.00	Annual Stipend	Quarterly
BH	Deputy Registrar of Vital Statistics	\$250.00	Annual Stipend	Quarterly
DB	Health Officer	1,200.00	Annual Stipend	Quarterly
RH	Town Historian	3,060.00	Annual Stipend	Quarterly
CJ	Code Enforcement Officer	54,363.00	Annual Salary	Bi-Weekly
DZ	Code Enforcement Officer	\$53,040.00	Annual Salary	Bi-Weekly
RB	Code Enforcement Officer P/T	\$18.82	Hourly	Bi-weekly
DF	Director of Development	\$82,750	Annual Salary	Bi-weekly
AC	Office Specialist #1	\$15.50	Hourly	Bi-weekly
MA	Office Specialist #1	\$14.25	Hourly	Bi-weekly
TM	Zoning, Inspector, Part-Time	\$20.00	Hourly	Bi-weekly
SR	Planning Aide	\$13.50	Hourly	Bi-weekly
JR	Secretary to Planning Board and ECB	\$12.00	Hourly	Bi-weekly
CL	Assessor	\$63,240.00	Annual Salary	Bi-weekly
PP	Real Property Appraisal Aide	\$20.40	Hourly	Bi-weekly

GC	Park-Laborer, F/T	\$16.74	Hourly	Bi-weekly
JW	Park-Laborer, F/T	\$18.13	Hourly	Bi-weekly
DB	Director of Parks & Recreation	\$25,000.00	Annual Stipend	Bi-weekly
TS	Parks Maintenance Assistant	\$23.46	Hourly	Bi-weekly
	Parks Seasonal Laborer 1, PT	\$12-15	Hourly	Bi-weekly
	Parks Seasonal Laborer 2, PT	\$11.00	Hourly	Bi-weekly
	Lifeguard	\$10.75	Hourly	Bi-weekly
	Senior Lifeguard	\$11.50	Hourly	Bi-weekly
	Recreation Specialist	\$10.00	Hourly	Bi-weekly
	Recreation Assistant	\$10.00	Hourly	Bi-weekly
	Recreation Attendant	\$9.25	Hourly	Bi-weekly
	Day Camp Specialist	\$10.75	Hourly	Bi-weekly
	Disc Golf	\$10.75 (not to exceed \$600)	Season	Bi-weekly
KB	Working Supervisor	\$27.17	Hourly	Bi-weekly
CL	Working Supervisor	\$27.17	Hourly	Bi-weekly
SR	Working Supervisor	\$27.17	Hourly	Bi-weekly
JM	MEO IV	\$25.89	Hourly	Bi-weekly
LR	MEO IV	\$25.89	Hourly	Bi-weekly
WB	Motor Equipment Operator	\$24.97	Hourly	Bi-weekly
JB	Motor Equipment Operator	\$24.97	Hourly	Bi-weekly
PC	Motor Equipment Operator	\$24.97	Hourly	Bi-weekly
CF	Motor Equipment Operator	\$24.97	Hourly	Bi-weekly
RK	Motor Equipment Operator	\$24.97	Hourly	Bi-weekly
SR	Motor Equipment Operator	\$24.97	Hourly	Bi-weekly
MB	Motor Equipment Operator	\$24.97	Hourly	Bi-weekly
TW	Motor Equipment Operator	\$24.97	Hourly	Bi-weekly
JC	Motor Equipment Operator	\$20.50	Hourly	Bi-weekly
BV	Motor Equipment Operator	\$20.00	Hourly	Bi-weekly
LT	Motor Equipment Operator	\$23.50	Hourly	Bi-weekly
AM	Motor Equipment Operator	\$20.40	Hourly	Bi-weekly
KP	Motor Equipment Operator	\$20.40	Hourly	Bi-weekly
RW	Laborer, Part-Time	\$9.50	Hourly	Bi-weekly

RESOLUTION NO. 2015 – 289: BUDGET TRANSFER REQUEST

WHEREAS, the Budget Officer is requesting the following budget transfers:

Account #	Description	To	From
	GENERAL		
A.1355.131	Assessor Aide FT	6260.92	
A.1355.400	Assessor. Contractual		6260.92
A.1220.121	Supervisor.Bookkeeper	320.00	
A.1430.410	Personnel.Contractual	250.00	
A.1410.141	Town Clerk.Deputy PT	1340.00	
A.1410.131	Town Clerk.Deputy FT	135.40	
A.1220.120	Supervisor.Deputy Supervisor	320.00	

A.1010.110	Town Board, Elected	.40	
A.1220.400	Supervisor, Contractual	6.08	
A.5010.120	Highway.Deputy	.20	
A.1990.400	Contingency		2372.08
A.1940.400	Purchase of Land/Rights of Way	26,377.50	
A.1990.400	Contingency		26,377.50
	HIGHWAY		
D.5130.400.101	Machinery, Cont, Car #1	212.60	
D.5130.400.201	Machinery, Cont, Truck #1	165.42	
D.5130.400.205	Machinery, Cont, Truck #5	5172.30	
D.5130.400.207	Machinery, Cont, Truck #7	1867.78	
D.5130.400.216	Machinery, Cont, Truck #16	122.18	
D.5130.400.217	Machinery, Cont, Truck #17	744.02	
D.5130.400.219	Machinery, Cont, Truck #19	152.20	
D.5130.400.308	Machinery, Cont, Loader #8	4681.34	
D.5130.400.324	Machinery, Cont, Excavator #24	443.70	
D.5130.400.326	Machinery, Cont, Tractor #26	135.00	
D.5130.400.0	Machinery, Contractual		13,696.54
D.9060.820	Hospital & Medical Buyout	1230.48	
D.9060.830	HSA Account		1230.48
D.5110.130	General RepairsWages	73,000.00	
D.5142.130	Snow Removal.Wages		73,000.00
D.5110.410	Training & Membership	728.00	
D.5110.400	Repairs.Contractual		728.00
	WATER		
F.8310.131	Motor Equipment Operator	5000.00	
F.8310.410	Legal Services		5000.00

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approves of the requested budget transfers.

RESOLUTION NO. 2015 – 290: BUDGET ADJUSTMENT REQUEST

WHEREAS, expenses have exceeded the budgeted amount in the equipment purchase expense line in the highway fund; and

WHEREAS, it is recommended that the shortfall be offset with excess revenues received; now, therefore, be it

RESOLVED, that this Board directs the Budget Officer to amend the 2015 budget as follows:

Increase D.4960, FEMA, revenue line by \$40,000.00

Increase D.5130.200, Machinery Equipment, appropriation line by \$40,000.00

RESOLUTION NO. 2015 – 291: BUDGET ADJUSTMENT REQUEST

WHEREAS, expenses have exceeded the budgeted amount in two accounts in the water fund; and

WHEREAS, it is recommended that the shortfall be offset with excess revenues received; now, therefore, be it

RESOLVED, that this Board directs the Budget Officer to amend the 2015 budget as follows:

Increase F.2140, Water Rents, revenue line by \$132,000.00

Increase F.8340.450, Improvements, appropriation line by \$124,000.00

Increase F.8310.131, Motor Equipment Operator, appropriation line by \$8,000.00

RESOLUTION NO. 2015 – 292: TOWN OF CANANDAIGUA EMPLOYEE HANDBOOK MODIFICATIONS

WHEREAS, the Town Board of the Town of Canandaigua is desirous of maintaining an up-to-date Employee Handbook which details current and accurate personnel policies and procedures, employee benefits, compliance policies, and other pertinent information governing employment related matters; and

WHEREAS, the Town Board has retained Public Sector HR Consultants LLC to maintain and update the Town's Employee Handbook to accomplish the foregoing objectives; and

WHEREAS, the Town Board has reviewed revisions to selected policies contained in the Employee Handbook and has approved the revised content, which are reflected in Attachment 14; therefore

BE IT RESOLVED, this 21st day of December, 2015 that these policy revisions be adopted as part of the official Employee Handbook of the Town of Canandaigua.

RESOLUTION NO. 2015 – 293: SHARED SERVICES AGREEMENT BETWEEN NYSDOT AND THE TOWN OF CANANDAIGUA

WHEREAS, under certain circumstances the New York State Department of Transportation may provide emergency assistance to municipalities in the absence of a Governor's Emergency Declaration; and

WHEREAS, for services or materials that are valued at less than \$10,000 the NYS Comptroller rules allow NYSDOT to 'trade' services utilizing a simple one page agreement; and

WHEREAS, having such an agreement in place facilitates the ability to provide support more quickly when an emergency arises; and

WHEREAS, for this to occur, NYSDOT requires an executed Shared Service Agreement (SSA; Attachment 15); and

WHEREAS, with an SSA in place, the NYSDOT will share assistance for a one-year term; and

NOW THEREFORE BE IT RESOLVED, that the Canandaigua Town Board hereby approves of the proposed SSA and authorizes the Town Highway Superintendent to execute the SSA; and

BE IT FURTHER RESOLVED, the Town Clerk shall return the signed SSA to NYSDOT before the December 23, 2015 due date. The SSA may be returned by email to dawn.jindra@dot.ny.gov.

RESOLUTION NO. 2015 – 294: HONORING COUNCILMAN RALPH BRANDT FOR HIS DISTINGUISHED COMMUNITY SERVICE

12. Approval of the following Town Board Meeting Minutes:

November 16, 2015

13. Approval of Charge Back Billing – Attachment 16

14. Payment of the Bills

- Abstract Claim Fund Totals presented by Town Clerk
- Voucher Summary Report for Town Board signatures
(By signing, Town Board members represent they have reviewed the purchases for compliance with the Town's approved policies & approve of the prepared Voucher Summary Report and the attached invoices)

15. Privilege of the Floor

16. Other Business

17. Privilege of the Floor

18. Executive Session, as requested

19. Adjournment