

Canandaigua Town Board Meeting Agenda for March 15, 2021

ZOOM MEETING INFORMATION:

Please register in advance for this meeting:

https://us02web.zoom.us/join/ztYgc-GtqTotH92PBu15q7_hCirh9kEvA6VV

After registering, you will receive a confirmation email containing information about joining the meeting.

Please be aware all participants will be muted and will only be able to speak after being acknowledged. Participants should use the raise hand feature, raise their hand, or request to speak via chat. No screen sharing will be permitted. All meetings are recorded. Individuals may be removed for inappropriate behavior.

- Call To Order and Pledge of Allegiance
 - Pledge led by Town Councilman, Gary Davis
- Roll Call
 - Town Clerk Confirmation meeting was properly advertised
- Circulation of Written Communications – Attachment #1
 - Email – Fox Ridge HOA; annual meeting and request for pre-meeting - February 3, 2021
 - Email – Resident; Middle Cheshire Road Plan - February 3, 2021
 - Email – Town Manager; Miller/Wilkin sketch plan - February 3, 2021
 - Letter – Brickyard water project Notice of Complete Application (NOCA) - February 10, 2021
 - Letter – Charter Communications February 12, 2021
 - Letter – Owner Canandaigua Country Estates regarding Auburn Trail project - February 12, 2021
 - Email – Town Manager, Regarding three plus one finance products - February 17, 2021
 - Email – City Manager, Regarding 2021 FINAL Town Water Rates - February 18, 2021
 - Email – Zach Odell DEC, Regarding transfer of ownership of Onanda Park - February 22, 2021
 - Email – Town Manager and City Manager, Regarding tax bill - February 22, 2021
- Privilege of the Floor
- Priority Business

TOWN SUPERVISOR APPOINTMENTS

Pursuant to Arts and Cultural Affairs Law, §57.07, the Canandaigua Town Supervisor does hereby designate Leif HerrGessell as the Town Historian for a term expiring on December 31, 2021.

- Presentations
 - Annual Fire Department Reports to Town Board: Cheshire Fire Department, City of Canandaigua Fire Department, and East Bloomfield Fire District.

Continued Public Hearings:

- Public Hearing on the exploration of a proposed purchase of 3950 County Road 16

NOTE: Town Manager is requesting after comments are heard from meeting participants that this public hearing be continued to June 21, 2021. There is no resolution on this agenda relating to this public hearing.

New Public Hearings:

- Public Hearing on the Draft Middle Cheshire Road and Hospital Services Corridor Active Transportation Plan; and SEQR Intent to Declare Lead Agency

NOTE: The draft plan can be viewed online by visiting the Town's website: www.townofcanandaigua.org. This public hearing pertains to Resolution No. 2021-048

- Reports of Town Officials and Department Heads – Attachment #2
 - A. Highway / Water Superintendent
 - B. Assessor
 - C. Historian
 - D. Town Clerk
 - E. Planner
 - F. Town Manager
 - G. Supervisor / Deputy Supervisor
 - 1. Monthly Financial Reports for February 2021
 - a. Revenue & Expense Report and Cash Summary Report
 - b. Overtime Report – All Departments
 - c. Overtime Report – Highway & Water
- Reports of Committees, Boards and Commissions
 - A. Town Board Committees (as needed)
 - a. Finance – Councilwoman Dworaczyk
 - b. Planning – Councilman Fennelly
 - c. Environmental – Councilman Simpson
 - d. Ordinance – Councilman Davis
 - B. Planning Board, Chairman Oyler
 - C. Zoning Board of Appeals, Chairman Robinson
 - D. Environmental Conservation Board
 - E. Citizens' Implementation Committee, Chairwoman Reynolds
 - F. Parks & Recreation Committee, Chairman MacNeil
 - G. Special Events Committee, Chairwoman Fuller
 - H. Agriculture Committee, Chairman DiCarlo
 - I. Drainage Committee, Chairman Oyler

- Privilege of the Floor

- Resolutions and Motions

Continued Resolutions:

None

New Resolutions:

FINANCE

- Resolution No. 2021 – 034: Acceptance of the Monthly Financial Reports
- Resolution No. 2021 – 035: Special Town Election to Consider the Proposition of Whether the Town Should Purchase Land on Canandaigua Lake for Use as a Public Park and Bond the Amount Needed to Complete Such a Proposed Purchase

- Resolution No. 2021 – 036: Coordination of SEQR Type I Action for Outhouse West Park Improvements
- Resolution No. 2021 – 037: Authorization for Town Manager to Execute Insurance Renewal Agreement
- Resolution No. 2021 – 038: Authorization for Town Manager to Execute Cyber Insurance Agreement
- Resolution No. 2021 – 039: Acknowledgement of Annual AUP Court Report by Bonadio Group
- Resolution No. 2021 – 040: Acceptance of 2021 Annual Audit of Town Clerk's 2020 Financial Transactions by Bonadio Group
- Resolution No. 2021 – 041: Appropriation of Fund Balance in the Canandaigua Fire Protection District for Erroneous and Refunded Taxes
- Resolution No. 2021 – 042: Increase Appropriation of Fund Balance in the Centerpointe Lighting District
- Resolution No. 2021 – 043: Authorization for Town Manager to Execute Intermunicipal Agreement with Ontario County for Court Security Services
- Resolution No. 2021 – 044: Authorization for Town Manager to Execute Agreement Between the Town of Canandaigua and the Ontario County Historical Society
- Resolution No. 2021 – 045: Authorization for Town Manager to Purchase New Playground Equipment for Outhouse Park
- Resolution No. 2021 – 046: Appointment of Full-Time Human Resources and Payroll Coordinator
- Resolution No. 2021 – 047: Authorization for Town Manager to Execute Agreement with Ontario County for Use of a Boathouse and Office at Onanda Park

PLANNING

- Resolution No. 2021 – 048: Acknowledging the Town of Canandaigua Middle Cheshire Road and Hospital Services Corridor Active Transportation Plan and SEQR Determination of Non-Significance
- Resolution No. 2021 – 049: Setting a Public Hearing on Density Allowances in a Proposed Conservation Subdivision
- Resolution No. 2021 – 050: Approve Purchase of a Ford F-250 Cab and Chassis for Water Department
- Resolution No. 2021 – 051: Accepting Water Main Easements Related to Tax Map # 126.00-1-42.115 AND # 126.00-1-3.000 Cramer Road and Directing Water Superintendent to Sign Easements and Further Directing the Town Clerk to Record Said Easements at the Ontario County Clerk's Office
- Resolution No. 2021 – 052: Authorization for Highway Superintendent to Contract for Mowing Services with the NYS DOT for Mowing Route 332
- Resolution No. 2021 – 053: Approving Additional Services for Outhouse Park West All Inclusive Playground and Multi-Use Fields and Accepting Proposal from CME Associates
- Resolution No. 2021 – 054: Speed Limit Study and TE-9 Submittal for Seneca Point Road
- Resolution No. 2021 – 055: Approval of the Extension of the Canandaigua Consolidated Water District for the Materials on Cramer Road
- Resolution No. 2021 – 056: Accepting a Permanent Easement Related to the Future All Inclusive Playground and Directing the Town Manager to Sign Easement and Further Directing Town Clerk to Record Said Easements at the Ontario County Clerk's Office
- Resolution No. 2021 – 057: Acknowledging Submittal of 2020 Annual Reports for the Transfer Station and E-Waste Collection

- Resolution No. 2021 – 058: Authorization to Surplus and Sell Excess Roofing Materials
- Resolution No. 2021 – 059: Acknowledgement of Mixed-Use Rezoning Request and Referral to Planning Board for Advisory Report

ENVIRONMENTAL

- None

ORDINANCE

- Resolution No. 2021 – 060: Setting a Public Hearing on a Text Code Amendment to Town Code Chapter 220-77 that Would Modify Existing Language Related to Energy Efficiency and Light Pollution and SEQR Intent to Declare Lead Agency
- Resolution No. 2021 – 061: Setting a Public Hearing on a Text Code Amendment to Town Code Chapter 152 and SEQR Intent to Declare Lead Agency
- Resolution No. 2021 – 062: Setting a Public Hearing on a Proposed Local Law that Would Change the Language for the Centerpointe PUD and SEQR Intent to Declare Lead Agency
- Resolution No. 2021 – 063: Setting a Public Hearing on a Text Code Amendment to Town Code Chapter 220-19 that would Update Code Language to Comply with NY State HUD Regulations and SEQR Intent to Declare Lead Agency

ECONOMIC DEVELOPMENT/GENERAL

- Resolution No. 2021 – 064: Adoption of a Public Employer Health Emergency Plan
- Resolution No. 2021 – 065: Adoption of a Policy Relating to COVID-19 Vaccinations for Employees of the Town of Canandaigua
- Resolution No. 2021 – 066: Thanking John Robortella for His Years of Service to the Environmental Conservation Board
- Resolution No. 2021 – 067: Acknowledging the Canandaigua Rotary Sucker Brook Clean-Up Event at Outhouse Park
- Resolution No. 2021 – 068: Acknowledgement of 2020 Annual Fire Department Reports
- Resolution No. 2021 – 069: Appointment of Town Board Member Jared Simpson as Facilitator of Environmental Conservation Board and Directing Town Manager and Town Attorney to Prepare a Local Law Relating to the Structure of the ECB
- Resolution No. 2021 – 070: Support and Authorize Town Manager to Submit a Grant Application for Phase 2 of a Cultural Resource Survey to the Preserve NY Grant Program
- Resolution No. 2021 – 071: Appointment of Kimberly Burkard as Secretary to the Environmental Conservation Board
- Resolution No. 2021 – 072: Authorization for Town Manager to Execute Agreement with the City of Canandaigua for Joint Recreation Program
- Resolution No. 2021 – 073: Soil Erosion and Sediment Control Surety for 4385 County Road 16 (TAX MAP # 126.16-1-8.110)
- Resolution No. 2021 – 074: Soil Erosion and Sediment Control Surety for 5533 Thomas Road
- Resolution No. 2021 – 075: Soil Erosion and Sediment Control Surety for 3542 Sandy Beach Drive (TAX MAP # 98.15-1-33.000)

RESOLUTION NO. 2021 – 034: ACCEPTANCE OF THE 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 February 2021 Monthly Revenue/Expense Control Report, the Highway/Water Department Overtime Report and All Department Overtime Report; and

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

Attachment #2

RESOLUTION NO.2021 - 035: SPECIAL TOWN ELECTION TO CONSIDER THE PROPOSITION OF WHETHER THE TOWN SHOULD PURCHASE LAND ON CANANDAIGUA LAKE FOR USE AS A PUBLIC PARK AND BOND THE AMOUNT NEEDED TO COMPLETE SUCH A PROPOSED PURCHASE

WHEREAS, the Town Board of the Town of Canandaigua ("Town Board") has been considering for not less than four months the purchase of real property on Canandaigua Lake for the purpose of such land to be used as a Town Park providing additional public access to Canandaigua Lake as has been identified as a need in the Town of Canandaigua Comprehensive Plan, Parks and Recreation Master Plan, and many land use planning documents over the years; and

WHEREAS, the Town Board has conducted public hearings on the matter on the following dates: December 21, 2020, January 11, 2021, January 29, 2021, and February 15, 2021; and

WHEREAS, the Town Board has received written comments related to the potential purchase of property, all of which are posted for public review on the Town's website; and

WHEREAS, the Town Board has set forth potential plans and other documentation related to future use, all of which are posted for public review on the Town's website; and

WHEREAS, the Town Supervisor, Town Board, and Town Manager have worked hard to respond to concerns raised in written comments and at the public hearings; and

WHEREAS, the Town Board has discussed a five-year sunset and an amount not to exceed six million dollars per transaction with the Town Board retaining authority to determine if any opportunity should be pursued given current conditions such as market rates, anticipated expenditures, and other factors which may result in the Town Board moving forward with a particular purchase or not; and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby directs that the following proposition be submitted to the Town's electors at a special election to be held in accordance with New York State Town Law Article 6:

Should the Town Board of the Town of Canandaigua BOND and purchase land on Canandaigua Lake to create additional public park land(s) for the purpose of additional public access to Canandaigua Lake?

BE IT FURTHER RESOLVED, that the Town Board hereby directs that the Town Manager, Town Attorney, and Town Clerk work together to set up and conduct said election not less than 60 days nor more than 75 days from today's date.

RESOLUTION NO. 2021 - 036: COORDINATION OF SEQR TYPE I ACTION FOR THE OUTHOUSE WEST PARK IMPROVEMENTS

WHEREAS, the Town of Canandaigua Town Board (hereinafter referred to as 'Town Board') has reviewed the SEQR Full Environmental Assessment Form (EAF) Part 1, prepared by the MRB Group (hereinafter referred to as Town Engineer) for the Town of Canandaigua Outhouse Park West Park Improvements Project known as the Inclusive Playground and corresponding construction and action (hereinafter referred to as Action);

WHEREAS, the Town Board determines that said Action is classified as a Type 1 Action under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board determines that said Action is also subject to a coordinated review and approval by other involved agencies under SEQR Regulations; and

WHEREAS, the Town Board determines that it is the most appropriate agency to insure the coordination of this Action and will provide written notifications to the identified involved and interested agencies, for the purpose of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations; and

NOW THEREFORE BE IT RESOLVED, that the Town Board does hereby declare its intent to be designated as the lead agency for the Action, and identifies that it is a Type 1 Action pursuant to SEQRA; and

BE IT FURTHER RESOLVED, that the Town Engineer is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before noon Friday, April 16, 2021; and

BE IT FURTHER RESOLVED, the Town Board supports, acknowledges, and agrees with the decision made by the previous Town Board of 2010 to identify and declare the 17 acres +/- of land (Outhouse Park West) as Town Parkland; and

BE IT FURTHER RESOLVED, that the Town of Canandaigua, recognizes and fully supports this land as being a designated Town Park as identified within the Town of Canandaigua Parks & Recreation Master Plan 2018-2028 and within the Town of Canandaigua Comprehensive Master Plan 2020; and

BE IT FINALLY RESOLVED, the Town Clerk is hereby directed to provide a copy of this resolution to the Town Manager, Water Superintendent, and the Town Engineer.

Attachment #3

RESOLUTION NO. 2021 – 037: AUTHORIZATION FOR TOWN MANAGER TO EXECUTE INSURANCE RENEWAL AGREEMENT

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') is considering the renewal of the Town's comprehensive and liability insurance policy; and

WHEREAS, the Town's Insurance Broker, Mr. Christopher Hubler of Canandaigua Insurance Agency (CIG), has shopped the Town's insurance needs with 6 different insurance carriers including the Town's current insurance carrier, Houston Casualty Company (HCC); and

WHEREAS, 4 quotes were received and Mr. Hubler of CIG did a comparison breakdown of each quote to compare to our current insurance needs; and

WHEREAS, the lowest quotes received were from HCC and Travelers Insurance, and the Travelers quote offered less protection than currently provided through the HCC current policy, and also greater exposure due to limitations associated with the umbrella policy and exclusions; and

WHEREAS, it is the recommendation of Mr. Hubler of CIG to renew the Town's insurance with the current insurance carrier HCC in a total annual premium amount of \$94,686.38 for the Town of Canandaigua, and the Town of Canandaigua Water Districts; and

WHEREAS, the Town Manager has reviewed the insurance proposals of all carriers, reviewed the recommendation of Mr. Hubler, and reviewed the 2021 adopted Town of Canandaigua Town Budget relative to available funds for insurance purposes; and

WHEREAS, it is the recommendation of the Town Manager to renew the Town's insurance for the term April 1, 2021 through March 31, 2022 with HCC, which in the opinion of the Town Manager has offered exceptional service to the Town including in the areas of litigation and loss prevention protection; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua has reviewed the proposals and hereby determines the action to be a SEQR Type II; and

BE IT FURTHER RESOLVED, the Town Manager is hereby authorized to execute any and all documents relative to the Town's insurance renewal with Houston Casual Company (HCC) for the time period April 1, 2021 through March 31, 2022 with an amount not to exceed \$94,686.38 to be paid from the General Fund and Water Funds (account 1910.400); and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Town Manager and the Finance Clerk.

Attachment #4

RESOLUTION NO. 2021 – 038: AUTHORIZATION FOR TOWN MANAGER TO EXECUTE CYBER INSURANCE AGREEMENT

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') is considering a proposal for Cyber Coverage Insurance options; and

WHEREAS, the Town's Insurance Broker, Mr. Christopher Hubler of Canandaigua Insurance Agency (CIG), has shopped the Town's insurance needs relative to cyber security with different insurance carriers; and

WHEREAS, the Town Manager has reviewed the cyber insurance proposals with Mr. Hubler along with the proposed policies; and

WHEREAS, it is the recommendation of the Town Manager purchase a cyber security insurance policy with AtBay in an amount not to exceed \$3,727.42 to be paid from AA100.1910.400; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua has reviewed the proposals and hereby determines the action to be a SEQR Type II; and

BE IT FURTHER RESOLVED, the Town Manager is hereby authorized to execute any and all documents relative to the Town's cyber insurance renewal with AtBay for an amount not to exceed \$3,727.42; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Town Manager and the Finance Clerk.

Attachment #5

RESOLUTION NO. 2021 - 039: ACKNOWLEDGEMENT OF ANNUAL AUDIT AUP COURT REPORT BY BONADIO GROUP

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') hired Bonadio Group, to conduct an annual independent accountant review relative to the Town Court for the year ending December 31, 2020; and

WHEREAS, Bonadio Group has completed the audit for the 2020 fiscal year and has provided their draft findings and agreed upon procedures; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua does hereby acknowledge and accept the 2020 report as prepared by Bonadio Group for the year ending 2020; and

BE IT FURTHER RESOLVED, the Town Board does hereby authorize the Town Supervisor to execute the management representative letter; and

BE IT FINALLY RESOLVED, the Town Clerk is hereby directed to provide a copy of this resolution, and the Bonadio Group report to the Town Manager and the Finance Clerk.

Attachment #6

RESOLUTION NO. 2021 – 040: ACCEPTANCE OF 2021 ANNUAL AUDIT AUP OF TOWN CLERK'S 2020 FINANCIAL TRANSACTIONS BY BONADIO GROUP

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') hired Bonadio Group to conduct annual audits of the Town Clerk's financial receipts and procedures; and

WHEREAS, Bonadio Group has completed the audit for the 2020 fiscal year; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua does hereby acknowledge and accept the audit report prepared by Bonadio Group dated February 2021; and

BE IT FURTHER RESOLVED, the Town Supervisor is hereby authorized to sign the management representative letter; and

BE IT FINALLY RESOLVED, the Supervisor and Town Clerk is hereby directed to sign the acknowledgment letter and provide the letter and a copy of this resolution to the Bonadio Group.

Attachment #7

RESOLUTION NO. 2021 – 041: APPROPRIATION OF FUND BALANCE IN THE CANANDAIGUA FIRE PROTECTION DISTRICT FOR ERRONEOUS AND REFUNDED TAXES

WHEREAS, annually the Ontario County Board of Supervisors will charge the Towns and Special Districts directly for the recapture of erroneous and refunded taxes; and

WHEREAS, the Ontario County Treasurer has informed the Canandaigua Town Board that the Canandaigua Fire Protection District has been charged \$19.85 in erroneous and refunded taxes; and

WHEREAS, the Canandaigua Fire Protection District currently has a fund balance of \$94,993.16; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby directs the Town Manager to make the following budget adjustment to appropriate fund balance in the Canandaigua Fire Protection District for the erroneous and refunded taxes:

Increase SF450.9000 (Appropriated FB) by \$20.00 to \$20.00

Increase SF450.3410.400 (Fire Protection.Cont) by \$20.00 to \$1,141,340.00

BE IT FINALLY RESOLVED, the Town Clerk shall provide a copy of this resolution to the Town Manager and Finance Clerk.

RESOLUTION NO. 2021 – 042: INCREASE APPROPRIATION OF FUND BALANCE IN THE CENTERPOINTE LIGHTING DISTRICT

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') has included \$4,000.00 in the 2021 Adopted Town Budget for the purchase of new street lighting on Campus Drive in the Centerpointe Lighting District; and

WHEREAS, the Highway & Water Superintendent has collected quotes for the new street lighting and has informed the Town Board that the total cost for this equipment will be higher than the 2021 budgeted amount by \$819.28; and

WHEREAS, the Centerpointe Lighting District currently has an appropriated fund balance of \$4,394.00 and an unappropriated fund balance of \$3,768.62; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby directs the Town Manager to make the following budget adjustment to increase appropriated fund balance in the Centerpointe Lighting District for the purchase of new street lights:

Increase SL700.9000 (Appropriated FB) by \$820.00 to \$5,214.00
Increase SL700.5182.200 (StreetLighting.Cap) by \$820.00 to \$4,820.00

BE IT FINALLY RESOLVED, the Town Clerk shall provide a copy of this resolution to the Town Manager and Finance Clerk.

RESOLUTION NO. 2021 – 043: AUTHORIZATION FOR TOWN MANAGER TO EXECUTE INTERMUNICIPAL AGREEMENT WITH ONTARIO COUNTY FOR COURT SECURITY SERVICES

WHEREAS, the Town of Canandaigua Town Board (hereinafter referred to as ‘Town Board’) wishes to obtain court security services for the Town from Ontario County; and

WHEREAS, the Town has received an Intermunicipal Agreement for Court Security Services from Ontario County to provide a part-time deputy for up to 11 hours per week with a total not to exceed \$ 10,000.00 with a term beginning January 1, 2021 and ending December 31, 2021; and

WHEREAS, the Town of Canandaigua Town Board intends to enter into this agreement with Ontario County for the terms set forth in the provided intermunicipal agreement; and

NOW THEREFORE BE IT RESOLVED, the Town Board accepts the Intermunicipal Agreement for Court Security Services between Ontario County and the Town of Canandaigua with a term beginning January 1, 2021 and ending December 31, 2021 with a cost not to exceed \$ 10,000.00 and authorizes the Town Manager to execute this agreement to be paid from the JUSTICES.CONTR.COURTSECURITY AA100.1110.401.00000 budget line; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Town Manager.

Attachment #8

RESOLUTION NO. 2021 – 044: AUTHORIZATION FOR TOWN MANAGER TO EXECUTE AGREEMENT BETWEEN THE TOWN OF CANANDAIGUA AND THE ONTARIO COUNTY HISTORICAL SOCIETY

WHEREAS, the Ontario County Historical Society (OCHS) and the Town of Canandaigua have a long-standing agreement that includes OCHS providing certain services and programs in exchange for an annual payment from the Town; and

WHEREAS, the services and programs to be continued are outlined in the Agreement dated January 13, 2021; and

WHEREAS, the proposed \$10,000.00 request for payment was presented to the Town Board and the public during the 2021 Budget Workshops and Public Hearing; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Canandaigua hereby approves the proposed agreement and authorizes the Town Manager to take any and all necessary steps to execute said agreement and to authorize the payment of the \$10,000.00 to the Ontario County Historical Society to be paid from budget line AA.100.7450.410.00000.

RESOLUTION NO. 2021– 045: AUTHORIZING TOWN MANAGER TO PURCHASE NEW PLAYGROUND EQUIPMENT FOR OUTHOUSE PARK

WHEREAS, the Town of Canandaigua Town Board (herein after referred to as “Town Board”) wishes to move forward with planned improvements at Outhouse Park to include additional playground equipment; and

WHEREAS, the Parks Maintenance Assistant has gathered four quotes for a new pirate ship-themed playground structure and those quotes have been reviewed by the Town Manager, the Parks Maintenance Assistant, and the Town’s Parks and Recreation Committee; and

WHEREAS, the above named parties are recommending the Town Board accept the quote from AAA State of Play dated February 22, 2021 in the amount of \$ 38,750.00 for the new pirate-themed playground equipment for placement at Richard P. Outhouse Park by the Town; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua authorizes the Town Manager to execute all documents relative to the acceptance of the quote from AAA State of Play dated February 22, 2021 at a cost not to exceed \$ 38,750.00 for new playground equipment to be funded from the 2021 Town Budget line AA.100.7110.201; and

BE IT FURTHER RESOLVED, the Town Board has determined this is an unlisted action relative to SEQR having no significant environmental impact; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Town Manager.

Attachment #10

RESOLUTION NO. 2021 - 046: APPOINTMENT OF FULL-TIME HUMAN RESOURCES AND PAYROLL COORDINATOR

WHEREAS, the Town of Canandaigua Town Board (herein after referred to as ‘Town Board’) understands a vacancy exists in the role of Human Resources and Payroll Coordinator; and

WHEREAS, the Town Manager has determined a need to fill the position in order to continue to provide necessary services to Town Employees; and

WHEREAS, the Town Manager setup an interview team consisting of the Town Supervisor, Town Manager, Administrative Coordinator, Finance Clerk, and Office Specialist to interview prospective candidates and make a recommendation; and

WHEREAS, based on the interviews the Town Manager is recommending the hiring of Lindsay Frarey to fill the full-time Human Resources and Payroll Coordinator position at a rate based on an annual salary of \$60,000.00 per year, with an increase to \$63,000.00 per year after six months of service to the Town of Canandaigua; and

NOW THEREFORE BE IT RESOLVED, the Town Board hereby appoints Lindsay Frarey to the Human Resources and Payroll Coordinator position as recommended by the Town Manager at an annual

salary of \$60,000.00 per year, increasing to \$63,000.00 per year after successful completion of six months of service deemed successful by the Town Manager; and

BE IT FURTHER RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Town Manager and to Lindsay Frarey.

RESOLUTION NO. 2021 – 047: AUTHORIZATION FOR TOWN OF CANANDAIGUA TOWN MANAGER TO EXECUTE AGREEMENT WITH ONTARIO COUNTY FOR USE OF BOATHOUSE AND OFFICE AT ONANDA PARK

WHEREAS, the Town of Canandaigua and Ontario County have a longstanding agreement for the Ontario County Sheriff's office to utilize a boathouse and office at Onanda Park; and

WHEREAS, the Town of Canandaigua and Ontario County have agreed in the past of a yearly rental fee of \$ 3,600 per year as stated in the most recent agreement that ended December 31, 2020; and

WHEREAS, the Town Board wishes to continue with that amount for the calendar year 2021 ending on December 31, 2021 with the intent to draft a new agreement beginning in 2022 when it is anticipated that the transfer of ownership of the lakeside portion of Onanda Park from the State of New York to the Town of Canandaigua will be completed; and

WHEREAS, the Ontario County Board of Supervisors has recently approved of the rental agreement; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approves and authorizes the Town Manager to execute the rental agreement with Ontario County for the use of a boathouse and office at Onanda Park and to file the rental agreement with the Town Clerk's office.

Attachment #11

RESOLUTION NO. 2021 – 048: ACKNOWLEDGING THE TOWN OF CANANDAIGUA MIDDLE CHESHIRE ROAD AND HOSPITAL CORRIDOR ACTIVE TRANSPORTATION PLAN AND SEQR DETERMINATION OF NON-SIGNIFICANCE

WHEREAS, the Town of Canandaigua Town Board (hereinafter referred to as "Town Board") is considering the Canandaigua Middle Cheshire Road and Hospital Services Corridor Active Transportation Plan (hereinafter referred to as "plan"); and

WHEREAS, the Town Board of the Town of Canandaigua received grant funding for the preparation of this plan through the Unified Planning Work Program administered by the Genesee Transportation Council who also served as the contract managers for this project on behalf of the Town of Canandaigua; and

WHEREAS, the Town Board is appreciative of the support for this project from the project Steering Committee, whose membership included two Town Board members, the Highway Superintendent, the Asst. Canandaigua City Manager, the NY State Department of Transportation, the Canandaigua City School District Superintendent, a representative from the Regional Transportation Service, a Canandaigua City Council member, a Town resident, the Ontario County Planning Director, as well as

key players from Thompson Health and Quail Summit, and several Town Staff members including the Town Planner; and

WHEREAS, the Steering Committee recommended that the Genesee Transportation Council, serving as contract managers for this project, hire Bergmann Associates to act as project consultant and prepare the plan on the Town's behalf; and

WHEREAS, the project consultant and the Steering Committee have been working on the plan and reporting updates, status, and recommendations from comments received to the Citizen's Implementation Committee (CIC) and held two public information sessions throughout the project process, one outside and in-person in August 2020 and one online via Zoom on February 3, 2021; and

WHEREAS, the Town Board held a public hearing on March 15, 2021 regarding the draft plan which was made available for review on the Town's website; and

WHEREAS, the Planning Board reviewed the plan at their meeting on March 9, 2021 and;

WHEREAS, the Citizen's Implementation Committee reviewed the plan at their meeting on February 16, 2021; and

WHEREAS, the Town Board has reviewed the Short Environmental Assessment Form (SEAF) Part 1; and

WHEREAS, the Environmental Conservation Board, Planning Board, and Zoning Board of Appeals have no objection to the Canandaigua Town Board assuming Lead Agency Status for this action; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQRA Regulations and the information contained in the Short EAF Part 1; and

WHEREAS, a copy of the Full Environmental Assessment Form has been presented to the Town Board for consideration; this information is also available for review on the Town's website and is on file with the Town Clerk's office; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby designates itself as lead agency for the described action; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua has reasonably concluded there would not be any substantial adverse impact on the following: land use planning or zoning regulations; intensity of use of the land; character or quality of the existing community; environmental characteristics; existing level of traffic or infrastructure, use of energy; public or private water supplies; public or private wastewater treatment utilities; character or quality of important historic, archaeological, architectural or aesthetic resources; natural resources; potential for erosion, flooding or drainage problems; or creation of a hazard to environmental resources or human health; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua determines upon the information and analysis documented, the proposed action will not result in any significant adverse environmental impacts; and

BE IT FURTHER RESOLVED, the Town Board determines that said action is classified as an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

BE IT FURTHER RESOLVED, the Town Board has determined that the proposed action is subject to a single agency review pursuant to Part 617.6(b) (4) of the SEQR Regulations; and

BE IT FURTHER RESOLVED, the Town Board determines that it is the most appropriate agency for making the determination of significance thereon under the SEQR Regulations; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua does hereby make a Determination of Non-Significance on the proposed Middle Cheshire Road and Hospital Services Corridor Active Transportation Plan; and

BE IT FURTHER RESOLVED, the Town Manager is hereby directed to sign the Environmental Assessment Form Part 3 and file with the Town Clerk as evidence the Town Board has determined the proposed action will not result in any significant adverse environmental impact; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua hereby acknowledge the Middle Cheshire Road and Hospital Services Corridor Active Transportation Plan; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua acknowledges certain concepts in the plan may not be feasible and would need further consideration; and

BE IT FINALLY RESOLVED, the Town Board wishes to extend sincere appreciation to the Middle Cheshire Road and Hospital Services Corridor Active Transportation Plan Steering Committee members and the Citizen's Implementation Committee for their time and efforts in the development of the plan.

Attachment #12

RESOLUTION NO.2021 - 049: SETTING A PUBLIC HEARING ON DENSITY ALLOWANCES IN A CERTAIN PROPOSED CONSERVATION SUBDIVISION

WHEREAS, the Town Board of the Town of Canandaigua ("Town Board") has received a request to increase the allowable density of constructed townhome units and would like to hear from interested parties; and

WHEREAS, the applicant submitted an application to the Planning Board for the following proposed project: the project site is 95.0± acres located on the southeast corner of County Road 32, Bristol Road and State Route 21 and the applicant is proposing to construct 92 for-sale townhome units in a configuration that maintains approximately 72 acres as open space; and

WHEREAS, pursuant to § 261-b of New York Town Law and by § 174-16 C(1)(a) of the Town of Canandaigua Town Code, the base density, as determined allows for 80 units in this project; and

WHEREAS, pursuant to § 261-b of New York Town Law, this base density may be increased by up to 15% by the Town Board within areas served by public water and sewer, if permanent public access will be granted to the protected open space land and any associated improvements; and

WHEREAS, the applicant is requesting approval from the Town Board for the fifteen 15% density increase to allow 92 units, which are comprised of 25 two-unit buildings and 14 three-unit buildings and the existing 16.2 acres of constrained lands are to be left undisturbed (preserved) and natural surface trails, preserved/protected open space and a publicly accessible pedestrian link to Miller Park and the Town trail system are among the conservation amenities that are being offered; and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby sets a public hearing to be held for April 19, 2021 at 6:00pm during the Town Board meeting being currently held by Zoom relating to the request for a 15% density increase to allow for the proposed 92 units on the subject property with the understanding that the proposed trail system and connections will be available for use by the public; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs that the Town Clerk to provide notice of such public hearing and provide a copy of this resolution to the applicant and the Town Manager.

Attachment #13

RESOLUTION NO. 2021- 050: APPROVE PURCHASE OF A FORD F-250 CAB AND CHASSIS FOR WATER DEPARTMENT

WHEREAS, the 2021 adopted budget includes funds for the purchase of a Ford F-250 from line SW500.8310.200.00000 Water Administration Capital Equipment; and

WHEREAS, quotes were received and the lowest responsible bid was from Van Bortel Ford automotive group fleet department details the purchase of a new 2021 Ford F-250 pick up truck and the cost of which was calculated using the NYS OGS government fleet concession contract # 23166 in the amount of \$ 35,979.43 and

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approves the purchase of a new Ford F-250 pickup truck from Van Bortel Ford automotive group fleet department to be paid from SW500.8310.200.

Attachment #14

RESOLUTION NO. 2021 - 051: ACCEPTING WATER MAIN EASEMENTS RELATED TO TAX MAP # 126.00-1-42.115 AND # 126.00-1-3.000 CRAMER ROAD AND DIRECTING WATER SUPERINTENDENT TO SIGN SAID EASEMENTS AND FURTHER DIRECTING TOWN CLERK TO RECORD SAID EASEMENTS AT THE ONTARIO COUNTY CLERK'S OFFICE

WHEREAS, the Town of Canandaigua Water Superintendent has received two easements from the property owner for the permanent easement for installing an eight-inch water main for the purpose of extending the water main; and

WHEREAS, the property owner of the above-referenced parcels has executed the necessary easements to the Town of Canandaigua; and

WHEREAS, the Town of Canandaigua Water Superintendent has recommended that the Town Board accept the easements; and

WHEREAS, the Town Attorney of the Town of Canandaigua has recommended that the Town Board accept the easements; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Canandaigua hereby accepts the above-referenced water main easements; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Water Superintendent to execute the above-referenced water main easements; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to arrange for the above-referenced water main easements to be recorded at the Ontario County Clerk's Office.

Attachment #15

RESOLUTION NO. 2021 – 052: AUTHORIZATION FOR HIGHWAY SUPERINTENDENT TO CONTRACT FOR MOWING SERVICES WITH THE NYS DOT FOR MOWING ROUTE 332

WHEREAS, the Town of Canandaigua has for many years mowed the right of way for the State of NY on State Route 332 in the Town of Canandaigua; and

WHEREAS, the NYS DOT has presented again to The Town of Canandaigua the annual mowing agreement for maintaining the right of way on State Route 332 in 2021; and

WHEREAS, the annual revenue for mowing the NYS DOT right of way on Route 332 is \$5,180.00 for the 2021 mowing season; and

NOW THEREFORE IT RESOLVED, the Town Board of Canandaigua hereby approves the NYS DOT annual mowing agreement for Route 322 for 2021 and directs the Town Highway Superintendent to sign the agreement and provide an original copy to the Town Clerk for record keeping.

Attachment #16

RESOLUTION NO. 2021 – 053: APPROVING SUBSOIL EXPLORATION FOR OUTHOUSE PARK WEST ALL INCLUSIVE PLAYGROUND AND MULTI-USE FIELDS AND ACCEPTING PROPOSAL FROM CME ASSOCIATES

WHEREAS, the Town of Canandaigua is assisting with the construction of an all-inclusive playground and restroom facility located at Outhouse Park West; and

WHEREAS, the Town of Canandaigua Town Board has approved via resolution #2020-159, the concept engineering and final design of the new park by MRB Group; and

WHEREAS, additional services are needed to determine the correct foundation for the restroom facility and

WHEREAS, MRB Group with the assistance of CME Associates have agreed to do subsoil exploration and geotechnical recommendation for the foundation of the restroom facility; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby accepts the CME Associates proposal for additional services dated January 22, 2021 with a cost not to exceed \$9,418.50 and authorizes the Town Manager to execute any and all associated documents and agreements to be paid from AA100.7110.201; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Clerk Finance and Town Manager.

Attachment #17

RESOLUTION NO. 2021 – 054: SPEED LIMIT STUDY AND TE-9 SUBMITTAL FOR SENECA POINT ROAD

WHEREAS, on February 18, 2021, the Town Clerk's office received a request from Mr. and Mrs. Nichols, who reside on Seneca Point Road, asking the Town of Canandaigua to reduce the speed limit on Seneca Point Road from 45 MPH; and

WHEREAS, to the reason for this request is due to safety concerns as many vehicles are not obeying the current speed limit causing a variety of accidents including spinouts, roll-overs, and a car into the creek; and

WHEREAS, in 2001, the NYS Department of Transportation (NYSDOT), approved a request and instructed the Town to install 45 MPH speed limit signs on Seneca Point Road; and

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby directs the Town Clerk to submit the required paperwork to request the NYS DOT to perform a speed study along Seneca Point Road.

RESOLUTION NO. 2021 – 055: APPROVAL OF THE EXTENSION OF THE CANANDAIGUA CONSOLIDATED WATER DISTRICT FOR THE MATERIALS ON CRAMER ROAD

WHEREAS, the Town of Canandaigua Town Board (herein after referred to as "Town Board") has approved in the 2021 budget the expenditure of installing a new water main and appendages on Cramer road; and

WHEREAS, the Town Board at the December 17, 2020 board meeting approved by resolution for the water superintendent Jim Fletcher to advertise for the materials needed to complete the project on Cramer Road; and

WHEREAS, the water superintendent had received two bids from Blair Supply and Cord & Main LP that were open in public on January 27, 2021 at 9:00 am in the town hall; and

WHEREAS, the lowest responsible bid for the water main materials was Core & Main LP in the amount of \$ 38,764.00; and

NOW THERE FOR BE IT RESOLVED, the water superintendent approves of the bid from Core & Main for the water materials; and

BE IT FINALLY RESOLVED, the Town Board directs the water superintendent to release the bid to Core & Main for the purchase of water main materials for Cramer road and directs all expenditures shall be paid from Budget SW500.8397.200.

Attachment #18

RESOLUTION NO. 2021 - 056: ACCEPTING A PERMANENT EASEMENT RELATED TO THE FUTURE ALL-INCLUSIVE PLAYGROUND AND DIRECTING TOWN MANAGER TO SIGN SAID EASEMENT AND FURTHER DIRECTING TOWN CLERK TO RECORD SAID EASEMENTS AT THE ONTARIO COUNTY CLERK'S OFFICE

WHEREAS, the Town of Canandaigua has received an easement from the property owner Finger Lakes United Cerebral Palsy Inc. for the permanent easement for the purpose of storm water management and access to property owned by the Town of Canandaigua; and

WHEREAS, the property owner of the above-referenced parcels has executed the necessary easements to the Town of Canandaigua; and

WHEREAS, the Town of Canandaigua Town Manager has recommended that the Town Board accept the easements; and

WHEREAS, the Town Attorney of the Town of Canandaigua has recommended that the Town Board accept the easements; and

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Canandaigua hereby accepts the above-referenced easements; and

BE IT FURTHER RESOLVED that the Town Board hereby directs the Town Manager to execute the above-referenced easements; and

BE IT FURTHER RESOLVED that the Town Board hereby directs the Town Clerk to arrange for the above-referenced easement to be recorded at the Ontario County Clerk's Office.

Attachment #19

RESOLUTION NO. 2021 – 057: ACKNOWLEDGING SUBMITTAL OF 2020 ANNUAL REPORTS FOR THE TRANSFER STATION AND E-WASTE COLLECTION

WHEREAS, the Town of Canandaigua Transfer Station is required to submit the Annual Report for NYS Electronic Waste Collection Site and the NYS Registered Transfer Facility Annual Report; and

WHEREAS, the annual report forms have been completed and submitted to the proper departments; and

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby acknowledges the submission of the Annual Report for NYS Electronic Waste Collection Site and the NYS Registered Transfer Facility Annual Report.

RESOLUTION 2021 – 058: AUTHORIZATION TO SURPLUS AND SELL EXCESS ROOFING MATERIAL

WHEREAS, the Parks Department has leftover roofing shingles and miscellaneous roofing materials which are no longer needed now that the shingle roofs have been replaced with metal; and

WHEREAS, the Parks Maintenance Assistant and the Town Manager are recommending that these materials be declared surplus and be sold at auction to the highest bidder; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby declares the roofing shingles and miscellaneous roofing material to be surplus material; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua hereby authorizes the sale of said surplus material by auction through Auctions International.

RESOLUTION NO. 2021– 059: ACKNOWLEDGEMENT OF MIXED-USE REZONING REQUEST, REFERRAL TO PLANNING BOARD FOR ADVISORY REPORT

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as “Town Board”) has been requested to rezone 3535 NY State Route 21, Tax Map # 98.19-1-20.100 in the Town of Canandaigua from R-1-20 to Mixed Use Overlay (MUO); and

WHEREAS, the Town Board may by Town Code §220-33(C) refer such requests to the Town of Canandaigua Planning Board for an advisory report; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby refers the rezoning request of 3355 NY State Route 21 to the Town of Canandaigua Planning Board pursuant to Town Code §220-33(C) and further requests the Planning Board provide such report within sixty days to the Town Board of the Town of Canandaigua; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Town Manager and to the Town of Canandaigua Planning Board.

RESOLUTION NO. 2021 - 060: SETTING A PUBLIC HEARING ON A TEXT CODE AMENDMENT TO TOWN CODE CHAPTER 220-77 THAT WOULD MODIFY EXISTING LANGUAGE RELATED TO ENERGY EFFICIENCY AND LIGHT POLLUTION AND SEQR INTENT TO DECLARE LEAD AGENCY

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as “Town Board”) is considering a Local Law to execute a text code amendment to Town Code Chapter §220-77 that would modify the existing lighting code to include new energy saving measures, new lighting technologies (LED), restrict light glare and trespass, and regulate lighting on docks and along the shores of Canandaigua Lake; and

WHEREAS, the Town Board would like to hear from residents about the proposed Local Law; and

WHEREAS, the Town Board wishes to refer the proposed Local Law to the Town of Canandaigua Planning Board, Environmental Conservation Board, and Zoning Board of Appeals; and

WHEREAS, the Town Board intends to determine said proposed Local Law is classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

WHEREAS, the Town Board intends to declare itself as the Lead Agency on the proposed action; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby establishes a public hearing for the proposed Local Law to be held on April 19, 2021 at 6:00 pm via Zoom videoconferencing and/or at the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY 14424; and

BE IT FURTHER RESOLVED, the Town Board directs the Town Manager to refer the proposed Local Law to the Town of Canandaigua Planning Board, Environmental Conservation Board, and Zoning Board of Appeals; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide notice of said public hearing.

Attachment #22

RESOLUTION NO. 2021 - 061: SETTING A PUBLIC HEARING ON A TEXT CODE AMENDMENT TO TOWN CODE CHAPTER 152 AND SEQR INTENT TO DECLARE LEAD AGENCY

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as "Town Board") is considering a Local Law to execute a text code amendment to Town Code Chapter § 152 that would clarify language in the code including updating language pertaining to the Director of Parks and Recreation, a position that no longer exists in the Town's Organizational Chart, and also would create a new section of the chapter, §152-9 which is designed to allow organizations renting a facility the option of obtaining a facility alcohol permit; and

WHEREAS, the Town Board would like to hear from residents about the proposed Local Law; and

WHEREAS, the Town Board wishes to refer the proposed Local Law to the Town of Canandaigua Planning Board, Environmental Conservation Board, and Zoning Board of Appeals; and

WHEREAS, the Town Board intends to determine said proposed Local Law is classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

WHEREAS, the Town Board intends to declare itself as the Lead Agency on the proposed action; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby establishes a public hearing for the proposed Local Law to be held on April 19, 2021 at 6:00 pm via Zoom videoconferencing and/or at the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY 14424; and

BE IT FURTHER RESOLVED, the Town Board directs the Town Manager to refer the proposed Local Law to the Town of Canandaigua Parks Committee, Planning Board, Environmental Conservation Board, and Zoning Board of Appeals; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide notice of said public hearing.

Attachment #23

RESOLUTION NO. 2021 -062: SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW THAT WOULD CHANGE THE LANGUAGE FOR THE CENTERPOINTE PUD AND SEQR INTENT TO DECLARE LEAD AGENCY

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as "Town Board") is considering a Local Law to amend the language in the Centerpointe PUD to amend the setback requirements to be more in keeping with the proposed Uptown Plan; and

WHEREAS, the Town Board has received a proposal from Ziebart for a portion of the PUD and would like to hear from residents about the proposed Local Law; and

WHEREAS, the Town Board wishes to refer the proposed Local Law to the Town of Canandaigua Planning Board, Environmental Conservation Board, and Zoning Board of Appeals; and

WHEREAS, the Town Board intends to determine said proposed Local Law is classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

WHEREAS, the Town Board intends to declare itself as the Lead Agency on the proposed action; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby establishes a public hearing for the proposed Local Law to be held on April 19, 2021 at 6:00 pm via Zoom videoconferencing and/or at the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY 14424; and

BE IT FURTHER RESOLVED, the Town Board directs the Town Manager to refer the proposed Local Law to the Town of Canandaigua Planning Board, Environmental Conservation Board, and Zoning Board of Appeals; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide notice of said public hearing.

Attachment #24

RESOLUTION NO. 2021 - 063: SETTING A PUBLIC HEARING ON A TEXT CODE AMENDMENT TO TOWN CODE CHAPTER 220-19 THAT WOULD UPDATE CODE LANGUAGE TO COMPLY WITH NY STATE HUD REGULATIONS AND SEQR INTENT TO DECLARE LEAD AGENCY

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as "Town Board") is considering a Local Law to execute a text code amendment to Town Code Chapter § 134-19 that would

remove language which conflicts with New York State HUD regulations on the construction of foundations for the installation of manufactured homes. Proposed ordinance requires the installation of a permanent architectural block or concrete wall rather than the use of plastic, fiberglass, or metal type temporary skirting; and

WHEREAS, the Town Board would like to hear from residents about the proposed Local Law; and

WHEREAS, the Town Board wishes to refer the proposed Local Law to the Town of Canandaigua Planning Board, Environmental Conservation Board, and Zoning Board of Appeals; and

WHEREAS, the Town Board intends to determine said proposed Local Law is classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

WHEREAS, the Town Board intends to declare itself as the Lead Agency on the proposed action; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby establishes a public hearing for the proposed Local Law to be held on April 19, 2021 at 6:00 pm via Zoom videoconferencing and/or at the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY 14424; and

BE IT FURTHER RESOLVED, the Town Board directs the Town Manager to refer the proposed Local Law to the Town of Canandaigua Planning Board, Environmental Conservation Board, and Zoning Board of Appeals; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide notice of said public hearing.

Attachment #25

RESOLUTION NO.2021 – 064: ADOPTION OF PUBLIC EMPLOYER HEALTH EMERGENCY PLAN

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') has been mandated by the State of New York Legislature to adopt a public employer health emergency plan (S.8617B/A.10832); and

WHEREAS, the Town Board has previously adopted a COVID-19 policy relative to the 2020-2021 situation relating to the employees of the Town of Canandaigua and has incorporated the policy into the proposed Public Employer Health Emergency Plan; and

WHEREAS, the members of the Town Board have collaborated with the department heads and other interested parties through a series of meetings in 2020 and 2021 to prepare a public employer health emergency plan; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua does hereby adopt the Public Health Employer Emergency Plan as a policy of the Town Board of the Town of Canandaigua; and

BE IT FURTHER RESOLVED, the Town Board has determined this to be a Type II SEQR action; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Town Manager.

Attachment #26

RESOLUTION NO.2021 – 065: ADOPTION OF POLICY RELATING TO COVID-19 VACCINATIONS FOR EMPLOYEES OF THE TOWN OF CANANDAIGUA

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as ‘Town Board’) is very appreciative of all the hard work of the employees over the past year during this most unusual time during the COVID-19 global pandemic; and

WHEREAS, the Town Board understands that employees may qualify for the COVID-19 vaccination in accordance with the regulations established by the New York State Department of Health; and

WHEREAS, the Town Board wishes to provide up to two hours of paid leave time for employees to get vaccinated during their normal hours if they so choose to get such vaccination; and

NOW THEREFORE BE IT RESOLVED, the Town Board directs the Town Manager to provide for up to two hours of paid leave of absence per occurrence (maximum occurrence twice) for employees wishing to be vaccinated with the COVID-19 vaccine during normal working hours, and directs the Town Manager to record such times as needed; and

BE IT FURTHER RESOLVED, the Town Manager is directed to add this resolution as part of the Town’s newly adopted Public Employer Emergency Health Plan; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Town Manager.

RESOLUTION NO. 2021 – 066: THANKING JOHN ROBORTELLA FOR YEARS OF SERVICE TO THE ENVIRONMENTAL CONSERVATION BOARD

WHEREAS, The Town Board of the Town of Canandaigua (“Town Board”) has received the resignation of John Robortella as Environmental Conservation Board (ECB) Stenographer effective March 14, 2021; and

WHEREAS, John Robortella has served the ECB in this role for over five years while also recording meeting minutes for the Planning Board, the Drainage Committee, and the Project Review Committee; and

WHEREAS, the ECB is very appreciative of the work John has done on their behalf; and

WHEREAS, the Town Board is grateful that John will continue to serve the Town in his other roles as he is very good at what he does and helps to make sure the residents can easily follow the work of the boards and committees he serves; and

NOW THEREFORE BE IT RESOLVED, the Town Board hereby states its gratitude for the work John Robortella has done, and continues to do for the Town of Canandaigua and thanks him for his years of service to the Environmental Conservation Board; and

BE IT FURTHER RESOLVED, the Town Board directs the Town Clerk to provide a copy of this resolution to John Robortella.

Attachment #27

RESOLUTION NO. 2021 – 067: ACKNOWLEDGING THE CANANDAIGUA ROTARY SUCKER BROOK CLEAN-UP EVENT AT OUTHOUSE PARK

WHEREAS, the Town Board of the Town of Canandaigua (“Town Board”) was approached by the Canandaigua Rotary group with a proposal to hold a volunteer clean-up event along Sucker Brook in Outhouse Park; and

WHEREAS, the Town Board is appreciative of the planned efforts to clean up trash and other debris that are blown into the creek and are washed downstream during storm events; and

WHEREAS, the Canandaigua Rotary group will plan and coordinate the event to be held on April 24, 2021 at Outhouse Park; and

NOW THEREFORE BE IT RESOLVED, The Town Board hereby acknowledges and authorizes the April 24, 2021 Sucker Brook clean-up event hosted by the Canandaigua Rotary group at Outhouse Park, and on land owned by the Town of Canandaigua adjacent to Old Brookside in the Town of Canandaigua and thanks the Canandaigua Rotary Club for their services on behalf of the Town and its residents.

RESOLUTION NO. 2021 – 068: ACKNOWLEDGEMENT OF 2020 ANNUAL FIRE DEPARTMENT REPORTS

WHEREAS, the Town Board is in receipt of the annual reports from the fire departments that provide services to the Town of Canandaigua; and

NOW THEREFORE BE IT RESOLVED, the Town Board hereby acknowledges the annual reports and thanks the fire departments for their continued service to the Town and the residents.

Attachment #28

RESOLUTION NO. 2021 – 069: APPOINTMENT OF TOWN BOARD MEMBER JARED SIMPSON AS FACILITATOR OF ENVIRONMENTAL CONSERVATION BOARD, DIRECTING TOWN MANAGER AND TOWN ATTORNEY TO PREPARE LOCAL LAW RELATING TO STRUCTURE OF ECB

WHEREAS, the Environmental Conservation Board (ECB) has been established by Local Law of the Town Board of the Town of Canandaigua (herein after referred to as ‘Town Board’) by Chapter 18 of the Town Code of the Town of Canandaigua; and

WHEREAS, the ECB has been operating without a Chairperson since January 1, 2021 with the Town Manager serving as the facilitator; and

WHEREAS, a vacancy exists on the ECB and not less than three individuals have expressed an interest in the position; and

WHEREAS, the Town Manager (Mr. Finch) and Town Board Member Jared Simpson (Mr. Simpson) have discussed the possibility of combining the Town of Canandaigua's Environmental Committee with the ECB; and

WHEREAS, Mr. Finch and Mr. Simpson discussed the proposal with the ECB on March 4, 2021 during which time the majority of the members of the ECB supported such a concept given so many topics overlap both the Environmental Committee and the ECB; and

WHEREAS, Mr. Simpson has offered to act as the facilitator for the ECB while the Town Board consider in full the concept of combining the Environmental Committee and the ECB; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua does hereby appoint Mr. Jared Simpson as the Environmental Conservation Board's facilitator for a term ending December 31, 2021; and

BE IT FURTHER RESOLVED, the Town Board directs the Town Manager to work with the Town Attorney, Mr. Jared Simpson, and the Environmental Conservation Board (ECB) to prepare a proposed local law to amend Chapter 18 of the Town Code to allow for changes in the structure of the ECB which would allow for flexibility in the number of positions on the ECB based on projects they are considering at any time, and giving the ECB the flexibility to make such appointments while the Town Board reserves the right to appoint such Chairperson; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Town Manager, the Town Attorney, Mr. Simpson, and the ECB.

RESOLUTION NO. 2021 – 070: SUPPORT AND AUTHORIZE TOWN MANAGER TO SUBMIT A GRANT APPLICATION FOR PHASE 2 OF A CULTURAL RESOURCE SURVEY TO THE PRESERVE NEW YORK GRANT PROGRAM

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as "Town Board") adopted a Historical Context Statement report for the Town of Canandaigua prepared by BERO Architecture in 2019 that was Phase 1 of a two-phase Town history project; and

WHEREAS, the Town Board wishes to allow for the completion of this project as it aligns with the Town of Canandaigua Comprehensive Plan goals 5 and 6 which state the need to preserve and protect the Town's significant cultural and historical resources and to promote the awareness of those resources; and

WHEREAS, the Town's Local History Team, a volunteer group that has worked for the past three years to help the Town implement those goals, has been heavily involved with and supportive of this two-phase project and helped to secure the funding that was used to hire BERO Architecture to complete phase 1; and

WHEREAS, there is an opportunity to again seek funding to complete phase 2 through the same grant opportunity as was awarded for phase 1; it is offered jointly by the New York State Council for the Arts and the Preservation League of New York State and is called Preserve New York; and

WHEREAS, the Town Manager and the Local History Team are recommending a second application be made to this program for Phase 2; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Canandaigua hereby supports this project and authorizes the Town Manager to submit a grant application in 2021 for Phase 2 of the Town History project through the Preserve New York grant program; and

BE IT FINALLY RESOLVED, the Town Board directs the Town Clerk to provide a certified copy of this resolution to the Administrative Coordinator.

RESOLUTION NO. 2021 – 071: APPOINTMENT OF KIMBERLY BURKARD AS SECRETARY TO THE ENVIRONMENTAL CONSERVATION BOARD

WHEREAS, a vacancy exists for the position of Environmental Conservation Board (ECB) Secretary; and

WHEREAS, the Town Manager advertised the position of Secretary to the Environmental Conservation Board (ECB) via a press release in the official newspaper, placed it on the Town of Canandaigua's website, shared it on the Town's Facebook page, and sent it out via MailChimp; and

WHEREAS, the Town Manager received an application from one applicant for this position and on February 19, 2021 the Town Manager and the Administrative Coordinator interviewed this candidate and are recommending that the Town Board appoint this person as the secretary to the ECB; and

WHEREAS, the ECB met with the applicant on March 4, 2021 and is recommending appointment;

WHEREAS, the candidate has skills and experiences that would be beneficial to the Town beyond simply serving as the ECB Secretary and so the Town Manager is recommending the Town Board approve the appointment to allow for services to other boards, committees, and the Town Manager's office as needed; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby appoints Kimberly Burkard to the position of Environmental Conservation Board Secretary at a rate of \$14.00 per hour; and

BE IT FURTHER RESOLVED, the Town Board hereby approves Kimberly Burkard to work additional hours in service to other Town Boards, Committees, or Departments at the same pay rate and as directed by the Town Manager.

RESOLUTION NO. 2021 – 072: AUTHORIZATION FOR TOWN MANAGER TO EXECUTE AGREEMENT WITH THE CITY OF CANANDAIGUA FOR 1 YEAR JOINT RECREATION PROGRAM

WHEREAS, the Town of Canandaigua operates a recreation program during the summer for residents of the community and in the past has operated a joint program with the City of Canandaigua, and also operated an independent program; and

WHEREAS, the Town Manager has made the Town Board aware of a need to relook at operating two different programs due to current staffing vacancies and wishes to operate a joint program for a one-year trial; and

WHEREAS, the joint program would operate at Butler Rd Schoolhouse Park, Onanda Park, Outhouse Park, Baker Park, and Sonnenberg Park; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua authorizes the Town Manager to enter into an agreement with the City of Canandaigua to operate a one-year joint recreation program for the calendar year 2021 for an amount not to exceed \$20,000.00; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Town Manager.

Attachment #29

RESOLUTION NO. 2021 – 073: SOIL EROSION AND SEDIMENT CONTROL SURETY FOR 4385 COUNTY ROAD 16 (TAX MAP # 126.16-1-8.110)

WHEREAS, the Town of Canandaigua Planning Board has granted a site plan approval for an addition to an existing single-family dwelling located at 4385 County Road 16(Tax Map # 126.16-1-8.110); and

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

WHEREAS, the Town Code Enforcement Officer Christopher Jensen has reviewed the proposed estimate and found it to be satisfactory to meet the conditions of approval and the work to be completed; and

WHEREAS, the applicant has provided a cash deposit in the amount of \$2,466.10 for the purposes of the soil erosion and sediment control; and

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approves and accepts the cash surety (in the form of a check from David and Laura Dadetta) in the total amount of \$2,466.10.

Attachment #30

RESOLUTION NO. 2021 – 074: SOIL EROSION AND SEDIMENT CONTROL SURETY FOR 5533 THOMAS ROAD

WHEREAS, the Town of Canandaigua Planning Board has granted a site plan approval for the construction of a single-family dwelling located at 5533 Thomas Road; and

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

WHEREAS, the Town Code Enforcement Officer Christopher Jensen has reviewed the proposed estimate and found it to be satisfactory to meet the conditions of approval and the work to be completed; and

WHEREAS, the applicant has provided a cash deposit in the amount of \$1,040.⁰⁰ for the purposes of the soil erosion and sediment control; and

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approves and accepts the cash surety (in the form of a check from Gerber Homes) in the total amount of \$1,040.⁰⁰.

Attachment #31

RESOLUTION NO. 2021 – 075: SOIL EROSION AND SEDIMENT CONTROL SURETY FOR 3542 SANDY BEACH DRIVE (TAX MAP # 98.15-1-33.000)

WHEREAS, the Town of Canandaigua Planning Board has granted a site plan approval for the tear down and construction of a new single-family dwelling located at 3542 Sandy Beach Drive (Tax Map # 98.15-1-33.000); and

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

WHEREAS, the Town Code Enforcement Officer Christopher Jensen has reviewed the proposed estimate and found it to be satisfactory to meet the conditions of approval and the work to be completed; and

WHEREAS, the applicant has provided a cash deposit in the amount of \$1,020.80 for the purposes of the soil erosion and sediment control; and

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approves and accepts the cash surety (in the form of a check from Battisti) in the total amount of \$1,020.80.

Attachment #32

➤ Approval of the following Town Board Meeting Minutes:

February 8, 2021

February 15, 2021

March 8, 2021

➤ 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)

Utility Abstract dated 2/22/2021 totaling \$ 108,103.05

General fund \$ 27,986.87

Highway fund \$ 68,657.66

Lighting Districts \$ 1,204.75

Water districts \$ 6,015.44
Custodial (FKA Trust & Agency) \$ 4,238.33

Abstract dated 3/15/2021 totaling \$ 1,798,079.58

General fund \$ 178,516.28
Highway fund \$ 174,824.52
Capital projects \$ 249,006.02
Fire Protection \$ 1,141,320
Lighting districts \$ 1,143.15
Water districts \$ 53,269.61

- Privilege of the Floor
- Other Business
- Privilege of the Floor
- Executive Session, as requested
 - *Town Manager is requesting an Executive Session with the Town Board, Town Attorney, and Highway Superintendent for proposed, pending, or current litigation;*
 - *Town Manager is requesting an Executive Session with the Town Board, Town Attorney, and Highway Superintendent for the medical, financial, credit or employment history of a particular person/corp, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion or suspension;*
 - *Town Manager is requesting an Executive Session with the Town Board, and Town Attorney for proposed, pending, or current litigation;*
 - *Town Manager is requesting an Executive Session with the Town Board, and Town Attorney for the medical, financial, credit or employment history of a particular person/corp, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion or suspension;*
 - *Town Manager is requesting an Executive Session with the Town Board, and Town Attorney for the medical, financial, credit or employment history of a particular person/corp, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion or suspension;*
 - *Town Manager is requesting an Executive Session with the Town Board, and Town Attorney for the medical, financial, credit or employment history of a particular person/corp, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion or suspension;*
 - *Town Manager is requesting an Executive Session with the Town Board, and Town Attorney for the medical, financial, credit or employment history of a particular person/corp, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion or suspension;*
 - *Town Manager is requesting an Executive Session with the Town Board, and Town Attorney for the medical, financial, credit or employment history of a particular person/corp, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion or suspension;*
- Adjournment