

# Canandaigua Town Board Meeting Agenda for March 21, 2022

- Call To Order and Pledge of Allegiance
  - Pledge led by Supervisor Jared Simpson
- Roll Call
  - Town Clerk Confirmation meeting was properly advertised
- Circulation of Written Communications – Attachment #1
  - 2022-2-2 – Letter from NY State Police Recruiting
  - 2022-2-11 – Email from a resident regarding Town composting website information
  - 2022-2-18 – Email from a resident thanking Town Recreation programming for the February senior trip to see a play
  - 2022-3-3 – Town Court 2021 Annual Report
  - 2022-3-7 – Letter regarding the Ontario County Chamber of Commerce announcement
  - 2022-3-9 – Letter from the NY State Department of Agriculture and Markets regarding Dog Control Services and Shelter Services reports
- Privilege of the Floor
- Priority Business
- Presentations
  - Cheshire Volunteer Fire Department annual update, Chief Chris Brown
  - City of Canandaigua Fire Department annual update, Chief Frank Magnera

Attachment # 3

## Continued Public Hearings:

- Continued Public Hearing on a text code amendment to Town Code Chapter 174-19(H) which would allow double-frontage lots on residential parcels and SEQR intent to declare lead agency.  
(NOTE: This public hearing pertains to Resolution No.2022-058. Please note the Ordinance Committee is recommending the Town Board table this resolution indefinitely.)

## New Public Hearings:

- None
- Reports of Town Officials and Department Heads – Attachment #2
  - A. Highway / Water Superintendent

## ZOOM MEETING INFORMATION:

Please register in advance of this meeting using the following link:

[https://us02web.zoom.us/meeting/register/tZYqc-GtgTotH92PBu15q7\\_hCirh9kEvA6VV](https://us02web.zoom.us/meeting/register/tZYqc-GtgTotH92PBu15q7_hCirh9kEvA6VV)

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

*Please be aware all participants will be muted upon entry to the meeting and will only be able to speak after being acknowledged. Participants should use the “raise hand” feature or the chat box to request to speak. No screen sharing will be permitted. All meetings are recorded. Individuals will be removed from the meeting for inappropriate behavior.*

- B. Assessor
- C. Historian
- D. Town Clerk
- E. Planner
- F. Human Resources & Parks Coordinator
- G. Town Manager
- H. Supervisor / Deputy Supervisor
  - 1. Monthly Financial Reports
    - 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 – Supervisor Simpson, Facilitator
  - b. Planning – Councilman Fennelly
  - c. Ordinance – Councilman Davis
  - d. Economic Development – Chairwoman Fuller
- B. Planning Board - Chairman Oyler
- C. Zoning Board of Appeals – Chairman Sahler
- D. Environmental Conservation Board - Councilwoman Rudolph, Facilitator
- E. Citizens' Implementation Committee - Chairwoman Bonshak
- F. Parks & Recreation Committee - Chairman MacNeil
- G. Special Events Committee - Chairwoman Fuller
- H. Agriculture Committee - Chairman DiCarlo

➤ Privilege of the Floor

➤ Resolutions and Motions

*Continued Resolutions:*

*(NOTE: The Ordinance Committee met on March 7, 2022 and recommends tabling this resolution (Resolution No.2022-58) to allow double frontage lots indefinitely.)*

**RESOLUTION NO. 2022 – 58: SEQR DETERMINATION OF NON-SIGNIFICANCE AND ADOPTION OF A TEXT CODE AMENDMENT TO TOWN CODE CHAPTER 174-19 (H)**

**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 §174-19 (H) that would allow double-frontage lots on residential parcels; and

**WHEREAS**, the Town Board of the Town of Canandaigua held a public hearing on the proposed local law on January 31, 2022; and

**WHEREAS**, the Town Board determines said proposed action 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 of the Town of Canandaigua has given consideration to the criteria for determining significance as set forth in § 617.7(c)(1) of the SEQR Regulations and the information contained in the Short Environmental Assessment Form Part 1; and

**WHEREAS**, the Town Board of the Town of Canandaigua has completed Part 2 and Part 3 of the Short Environmental Assessment Form; 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 of the Town of Canandaigua does hereby make a Determination of Non-Significance on the proposed action; and

**BE IT FURTHER RESOLVED**, the Town Manager is hereby directed to sign the Short 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, after due deliberation, finds it in the best interest of the Town of Canandaigua and the community to adopt said Local Law; and

**BE IT FURTHER RESOLVED**, the Town Board of the Town of Canandaigua hereby adopts Local Law No. \_\_\_\_ of the Year 2022; and

**BE IT FURTHER RESOLVED**, the Town Board of the Town of Canandaigua directs the Town Clerk to include SEQR, findings, and narrative of the Town Board of the Town of Canandaigua as it pertains to this Local Law for filing purposes; and

**BE IT FINALLY RESOLVED**, the Town Board of the Town of Canandaigua hereby directs the Town Clerk to enter Local Law No. \_\_\_\_ of the Year 2022 in the minutes of this meeting, and in the Local Law Book of the Town of Canandaigua, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

Attachment # 4

## *New Resolutions:*

### **FINANCE**

- Resolution No. 2022 – 088: Acceptance of the Monthly Financial Reports
- Resolution No. 2022 – 089: Budget Transfer Authorization for 2022 Worker's Compensation Expenditure
- Resolution No. 2022 – 090: Authorization for Town Manager to Execute Insurance Renewal Agreement
- Resolution No. 2022 – 091: Authorization for Town Manager to Execute Contract(s) for Lawn Mowing Services for 2022 Season
- Resolution No. 2022 – 092: Appointment of Finance Committee Co-Chairs
- Resolution No. 2022 – 093: Approving Agreement Extension with Pine Bank Cemetery
- Resolution No. 2022 – 094: Authorization for Town Manager to Execute an Intermunicipal Agreement with the Town of Farmington Relating to the Position of Assessor
- Resolution No. 2022 – 095: Appointment of Assessor
- Resolution No. 2022 – 096: Acceptance of a Quote from Sign Language, Inc. for the Design, Manufacture, and Installation of new sign for Town Hall

### **PLANNING / PUBLIC WORKS**

- Resolution No. 2022 – 097: Appointment of Jonathan Noble to Position of Motor Equipment Operator, Lite
- Resolution No. 2022 – 098: Acknowledgement of Expenditure Category for Coronavirus State and Local Fiscal Recovery Funds Reporting.
- Resolution No. 2022 – 099: Approval of MRB Group Proposal for Schematic Design of the New Transfer Station Facility
- Resolution No. 2022 – 100: Authorization of Purchase of a new Tandem Axel Trailer
- Resolution No. 2022 – 101: Approval of MRB Group Water System Study

### **ORDINANCE**

- NONE

### **ECONOMIC DEVELOPMENT / GENERAL**

- Resolution No. 2022 – 102: Appointment of Meghan Miller to the Town Environmental Conservation Board
- Resolution No. 2022 – 103: Appointment of John Casey to Zoning Board of Appeals
- Resolution No. 2022 – 104: Authorizing Appointment of a Clerk, Part-Time for the Development Office
- Resolution No. 2022 – 105: Acceptance of an Agreement with Finger Lakes Land Trust for Snow Removal at the Vista Preserve and Authorization for Town Manager to Execute Agreement
- Resolution No. 2022 – 106: Lincoln Hill Catering Alcoholic Beverages License Notice
- Resolution No. 2022 – 107: Soil Erosion and Sediment Control Surety for 4476, 4472, 4468, & 4464 County Road 16
- Resolution No. 2022 – 108: Acceptance of Letter of Credit for Development of Pierce Brook Subdivision, Section 1
- Resolution No. 2022 – 109: Town Board of Canandaigua's Position in Opposition to any Decrease to the Farm Labor Overtime Threshold

**RESOLUTION NO. 2022 – 088: 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 this month's 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. 2022 – 089: BUDGET TRANSFER AUTHORIZATION FOR 2022 WORKER'S COMPENSATION EXPENDITURE**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') has received an invoice from Ontario County for 2022 Workers' Compensation Insurance; and

**WHEREAS**, the portion of Workers' Compensation Insurance due from the General Fund (AA100) is \$9,540.00 higher than the budgeted amount for 2022; and

**WHEREAS**, the Town Manager and Finance Clerk are recommending the following budget transfer for this expenditure:

|   |            |       |
|---|------------|-------|
| INCREASE: AA100.9040.800 (Workers Comp) | \$9,540.00 |       |
| DECREASE: AA100.1990.400 (Contingency)  | \$9,540.00 | ; and |

**WHEREAS**, if approved, the balance remaining in AA100.1990.400 (Contingency) would be \$89,236.00; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby authorizes the above detailed budget transfer to the 2022 town budget and directs the Town Manager and Finance Clerk to make this entry; and

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

**RESOLUTION NO. 2022 – 090: 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 (4/1/22-3/31/23) including the Town's current insurance carrier, Houston Casualty Company (HCC); and

**WHEREAS**, it is the recommendation of Mr. Hubler of CIG and the Town Manager to purchase the Town of Canandaigua's Insurance coverage for the time period of April 1, 2022 through March 31, 2023 through Houston Casualty Company; and

**WHEREAS**, the Town Manager has reviewed the insurance proposal, reviewed the recommendation of Mr. Hubler, and reviewed the 2022 adopted Town of Canandaigua Town Budget relative to available funds for insurance purposes; and

**WHEREAS**, it is the recommendation of the Town Manager to purchase the following coverages: Property, Liability, Automobile, Inland Marine, Umbrella, Crime, and Public Officials coverages for a total HCC package premium of \$99,280.46, and also purchase Owners & Contractors Protective Liability for \$750.00, and Excess Employers Liability in the amount of \$1,469.00 for a total of \$101,499.46; and

**WHEREAS**, it is the recommendation of the Town Manager to forgo the proposed cyber liability premium of \$3,451.00 due to the new deductible of \$25,000.00; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby authorizes the Town Manager to execute any and all documents relative to the Town's insurance with Houston Casualty Company for the time period April 1, 2022 through March 31, 2023 with an amount not to exceed \$101,499.46 to be paid from AA100.1910.400 (Unallocated Insurance) and SW500.1910.400 (Water-Unallocated Insurance); 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. 2022 - 091: AUTHORIZATION FOR TOWN MANAGER TO EXECUTE CONTRACT(S) FOR LAWN MOWING SERVICES FOR THE 2022 SEASON**

**WHEREAS**, the Town of Canandaigua has advertised a written RFP on the Town's website, Facebook page, NYS Contract Reporter, and MailChimp program for seasonal lawn services for 2022 for certain Town properties including parks and cemeteries; and

**WHEREAS**, the Town of Canandaigua has received four proposals for lawn mowing services; and

**WHEREAS**, the RFP allowed companies to submit proposals on the Parks list only, Cemeteries list only or both; and

**WHEREAS**, Mentis Landscape and Property Maintenance has submitted the lowest bid for seven cemeteries at the seasonal rate of \$9,900;

**WHEREAS**, White Boyz has submitted the lowest bid for the seven parks, Peanut Line Trail, Old Brookside and Town Hall Campus for the seasonal rate of \$47,949.98; and

**WHEREAS**, the 2022 adopted budget allocated \$70,000 for lawn services for 2022; and

**NOW THEREFORE IT RESOLVED**, the Town Board of Canandaigua hereby approves the hiring of Mentis Landscape and Property Maintenance and White Boyz for mowing services for Town Cemeteries for the 2022 season for an amount not to exceed \$57,850 (Mentis - \$9,900; and White Boyz - \$47,949.98) to paid from the 2022 budget line AA100.7110.400 (Parks-Contractual); and

**BE IT FURTHER RESOLVED**, the Town Manager is hereby authorized to take any and all actions required to execute service agreements; and

**BE IT FINALLY RESOLVED**, the Town Clerk shall provide a copy of this resolution to the Town Manager and the HR & Payroll Coordinator.

Attachment # 6

#### **RESOLUTION NO. 2022 – 092: APPOINTMENT OF FINANCE COMMITTEE CO-CHAIRS**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') has in the past established a Finance Committee in order to review the Town Board agenda prior to the Town Board meeting and also provide guidance from time to time relating to financial matters; and

**WHEREAS**, Town Supervisor Jared Simpson and Town Board member Karen DeMay have offered to co-chair the Finance Committee; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua does hereby appoint Jared Simpson, Town Supervisor and Karen DeMay, Town Board member as members and co-chairs of the Finance Committee through December 31, 2022; and

**BE IT FURTHER RESOLVED**, the Town Board acknowledges and confirms appointment of Doug Finch, Town Manager; Kate Silverstrim-Jensen, Finance Clerk; Joe Delforte, Town resident as members of the Finance Committee (bringing the total members to five) through December 31, 2022; and

**BE IT FURTHER RESOLVED**, the Town Board acknowledges the Finance Committee's intent to meet once per month on the Thursday prior to the Town Board meeting at 10:45AM both in person at the Town Hall of the Town of Canandaigua and by zoom; and

**BE IT FINALLY RESOLVED**, the Town Clerk is directed to provide a copy of this resolution to the members of the Finance Committee and provide notice of the Finance Committee meetings.

#### **RESOLUTION NO. 2022 – 093: APPROVING AGREEMENT EXTENSION WITH PINE BANK CEMETERY BOARD**

**WHEREAS**, the Town of Canandaigua Town Board (herein after referred to as "Town Board") has previously adopted Resolution No. 2021-120 accepting a formal agreement with the Pine Bank Cemetery Board for certain services and maintenance in exchange for \$5,000 financial assistance; and

**WHEREAS**, the agreement with Pine Bank Cemetery allows for annual extensions upon approval by both parties; and

**WHEREAS**, the Pine Bank Cemetery Board has provided notice to the Town Board that they wish to extend this agreement for 2022; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby approves a one-year extension to the agreement with Pine Bank Cemetery and directs the Town Manager and Finance Clerk to remit \$5,000.00 from the 2022 Adopted Budget line AA100.8810.400; and

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

Attachment # 7

**RESOLUTION NO. 2022 – 094: AUTHORIZATION FOR TOWN MANAGER TO EXECUTE AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF FARMINGTON RELATING TO THE POSITION OF TOWN ASSESSOR**

**WHEREAS**, the Town of Canandaigua Town Board (herein after referred to as “Town Board”) and the Town Board of the Town of Farmington wish to enter into an agreement relating to the position of Town Assessor; and

**WHEREAS**, the proposed Intermunicipal Agreement (IMA) would pertain when both municipalities appoint the same person part-time as their Assessor, enabling the person to enjoy full time benefits to be shared equally between the two municipalities; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby authorizes the Town Manager to execute the agreement between the Town of Farmington and the Town of Canandaigua; and

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

Attachment # 8

**RESOLUTION NO. 2022 - 095: APPOINTMENT OF ASSESSOR**

**WHEREAS**, the Town of Canandaigua Town Board (herein after referred to as ‘Town Board’) understands a vacancy exists relating to the position of Town Assessor; and

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

**WHEREAS**, the Town of Farmington and the Town of Canandaigua have partnered to recommend a qualified person for the position of Assessor that will provide services to both municipalities and each municipality is providing additional support to the Assessor to be able to serve both communities; and

**WHEREAS**, the position was advertised through a national search on Indeed.com, the ICMA job board, Ontario County Job postings, and the NYS Assessors Association; and



**WHEREAS**, the Town Manager received over twenty four resumes and conducted interviews with four qualified candidates with a search committee consisting of the Town of Farmington Supervisor, Town of Farmington and Town of Canandaigua Board Members, the County Director of Real Property, and the Human Resource and Payroll Coordinator with input from key stakeholders such as the Board of Assessment Review members; and

**WHEREAS**, all members of the search committee are recommending the hiring of Paul Arndt to fill the vacancy; and

**NOW THEREFORE BE IT RESOLVED**, that the Canandaigua Town Board hereby authorizes the hiring of Paul Arndt as Town Assessor (part-time) to be paid at a rate of \$40,000.00 per year by the Town of Canandaigua; and

**BE IT FURTHER RESOLVED**, the Town Board understands the Town of Farmington may also appoint Paul Arndt as Town Assessor (part-time) at a rate of \$40,000.00 per year by the Town of Farmington as detailed in the Intermunicipal Agreement with the Town of Farmington; and

**BE IT FURTHER RESOLVED**, the Town Manager is authorized to execute all documents necessary; and

**BE IT FURTHER RESOLVED**, the Town Board understands the intent of supporting the Town Assessor with the promotion of a current experienced staff member as Real Property Assessor Aide who has and wishes to continue to take classes in Assessment and learn from the new Assessor; and

**BE IT FINALLY RESOLVED**, the Town Clerk is directed to provide a copy of this resolution to the Town Manager, the Human and Resource and Payroll Coordinator, and the Town of Farmington Town Supervisor.

**RESOLUTION NO. 2022 – 096: ACCEPTANCE OF A QUOTE FROM SIGN LANGUAGE, INC FOR THE DESIGN, MANUFACTURE, AND INSTALLATION OF A NEW SIGN FOR THE TOWN HALL**

**WHEREAS**, the Town of Canandaigua Town Board (herein after referred to as “Town Board”) hired Sign Language, Inc. to design, manufacture, and install gateway / welcome signs for the Town of Canandaigua in November 2021; and

**WHEREAS**, the Town Board is considering the purchase of an additional sign from Sign Language, of the same design as the gateway signs but double-sided rather than single-sided so that it can be seen from either direction, to replace the current sign in front of the Town Hall that was installed in 2018; and

**WHEREAS**, Sign Language, Inc. has provided the Town Board with two different quotes for two different sizes of the Town of Canandaigua double-sided Town Hall sign for their consideration – one 48” x 60” and one 48” x 96” – with quoted amounts of \$6,600.00 and \$9,435.00 respectively including design, manufacture, and installation; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby accepts the quote from Sign Language, Inc. for the design, manufacture, and installation of one Town Hall sign sized 48” x 96” for an amount not to exceed \$9,435.00 to be paid from the 2022 adopted budget line AA.100.1620.200.00000 Buildings Capital Equipment, and authorizes the Town Manager to execute the contract; and

**BE IT FURTHER RESOLVED**, the Town Board understands this expenditure was not budgeted as part of the 2022 adopted budget and subsequently authorizes a budget transfer of \$9,435.00 reducing contingency and increasing the buildings capital equipment budget line; and

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

Attachment # 9

**RESOLUTION NO. 2022 – 097: APPOINTMENT OF JONATHAN NOBLE TO POSITION OF MOTOR EQUIPMENT OPERATOR, LITE**

**WHEREAS**, the Town of Canandaigua Town Board (herein after referred to as 'Town Board') understands the Town of Canandaigua Highway Superintendent has a vacant Motor Equipment Operator, Lite position; and

**WHEREAS**, the Highway Superintendent is recommending Jonathan Noble, who is currently a Transfer Station Operator and has been supporting the Highway Department, to fill the role of Motor Equipment Operator, Lite; and

**WHEREAS**, the Ontario County Human Resource Department has approved the application of Jonathan Noble for MEO Lite; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board appoints Jonathan Noble to the position of Motor Equipment Operator, Lite at a rate of \$18.00 per hour, and

**BE IT FURTHER RESOLVED**, the Town Manager is directed to execute any and all documents; and

**BE IT FINALLY RESOLVED**, the Town Clerk is directed to provide a copy of this resolution to the Highway Superintendent and the Human Resource and Payroll Coordinator.

**RESOLUTION NO. 2022 – 098: ACKNOWLEDGEMENT OF EXPENDITURE CATEGORY FOR CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS REPORTING**

**WHEREAS**, the Town of Canandaigua Town Board (herein after referred to as "Town Board") is aware that the Town of Canandaigua is required to submit an annual Project and Expenditure report to the United States Department of the Treasury for the use of Coronavirus State and Local Fiscal Recovery Funds under the American Rescue Plan Act; and

**WHEREAS**, the Town Board has reviewed and discussed the allowable expenditure categories and wishes to determine a project expenditure category which will be funded in whole or in part by the State and Local Fiscal Recovery Funds; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby acknowledges the selection of Infrastructure: Water and Sewer (Expenditure Category No. 5) for the use of Coronavirus State and Local Fiscal Recovery Funds and directs the Town Manager to complete the annual Project and Expenditure Report by April 30, 2022; and

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

**RESOLUTION NO. 2022 – 099: APPROVAL OF MRB GROUP PROPOSAL FOR SCHEMATIC DESIGN OF THE NEW TRANSFER STATION FACILITY**

**WHEREAS**, the Town of Canandaigua Town Board (herein after referred to as “Town Board”) and the Town’s Planning and Public Works Committee have discussed the need to relocate the current transfer station facility; and

**WHEREAS**, the Town Engineer, MRB Group, has submitted a proposal dated March 10, 2022 to perform schematic design services for the new transfer station facility, including a boundary and topographic survey, the completion of SEQR Parts 1, 2, and 3, and the preparation of floor plans, building elevations, site plans and a preliminary cost estimate for this project; and

**WHEREAS**, the Planning and Public Works Committee has reviewed the proposal from MRB Group and is recommending the Town Board approve this work for a total cost not to exceed \$36,500.00; and

**WHEREAS**, the Town Manager and Finance Clerk are recommending the following budget transfer to the 2022 adopted budget for this expenditure:

|  |             |       |
|--|-------------|-------|
| INCREASE: AA100.1440.400 (Engineering) | \$36,500.00 |       |
| DECREASE: AA100.1990.400 (Contingency) | \$36,500.00 | ; and |

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby approves the March 10, 2022 proposal from MRB Group for schematic design of the new transfer station facility for a total cost not to exceed \$36,500.00 and authorizes the Town Manager to execute this proposal and any other required documentation; and

**BE IT FURTHER RESOLVED**, the Town Manager and Finance Clerk are directed to make the above detailed budget transfer to the 2022 adopted budget; and

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

Attachment # 10

**RESOLUTION NO. 2022 – 100: AUTHORIZE PURCHASE OF A NEW TANDEM AXEL TRAILER**

**WHEREAS**, the Town of Canandaigua 2022 adopted budget includes funds to purchase a new tandem axel trailer for the Highway Department; and

**WHEREAS**, the Highway Superintendent has distributed a written Request for Quotes and has received three written quotes for the purchase of a new tandem axel trailer; and

**WHEREAS**, the Highway Superintendent and Finance Clerk have determined that JPR Trailer Sales has submitted the lowest responsible bid for \$15,922.00; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby authorizes the purchase one (1) Cam Superline 21-foot tandem axel trailer to be purchased from JPR Trailer Sales for an amount not to exceed \$15,922.00 from the 2022 adopted budget line DA100.5130.200 (Highway-Capital Equipment); and

**BE IT FURTHER RESOLVED;** the Highway Superintendent is hereby authorized to execute all required documentation to complete this purchase; and

**BE IT FINALLY RESOLVED,** the Town Board directs the Town Clerk to provide a copy of this resolution to the Highway Superintendent and Finance Clerk.

Attachment # 11

**RESOLUTION NO. 2022 – 101: APPROVAL OF MRB GROUP WATER SYSTEM STUDY**

**WHEREAS,** the Town of Canandaigua Town Board (herein after referred to as “Town Board”) has discussed the need to identify future impacts on infrastructure caused by growth in the Uptown Canandaigua Business Improvement District; and

**WHEREAS,** the Highway & Water Superintendent has requested a proposal from MRB Group to determine potential development impacts on the water infrastructure for Uptown Canandaigua; and

**WHEREAS,** the Planning and Public Works Committee has reviewed the proposal from MRB Group and is recommending the Town Board approve this study for a total cost not to exceed \$24,500.00 to be paid from the Uptown Infrastructure capital project (H35); and

**NOW THEREFORE BE IT RESOLVED,** the Town Board hereby approves the proposal from MRB Group for a Water System Study for Uptown Canandaigua for a total cost not to exceed \$24,500.00 to be paid by the Uptown Infrastructure capital project (H35) and authorizes the Town Manager to execute this proposal and any other required documents; and

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

Attachment # 12

**RESOLUTION NO. 2022 – 102: APPOINTMENT OF MEGHAN MILLER TO THE TOWN ENVIRONMENTAL CONSERVATION BOARD**

**WHEREAS,** the Town Board of the Town of Canandaigua (hereinafter referred to as “Town Board”) is aware that a vacancy exists on the Environmental Conservation Board (ECB); and

**WHEREAS,** the ECB discussed the vacancy at their meeting on March 3, 2022, and unanimously voted to recommend the Town Board appoint Meghan Miller as a member of the ECB; and

**NOW THEREFORE BE IT RESOLVED,** the Town Board hereby appoints Meghan Miller to the Environmental Conservation Board effective immediately with the term expiring on December 31, 2022; and

**BE IT FINALLY RESOLVED,** the Town Board directs the Town Clerk to provide a copy of this resolution to the Human Resources and Payroll Coordinator, the Town Planner, and the ECB.

**RESOLUTION NO. 2022 – 103: APPOINTMENT OF JOHN CASEY TO ZONING BOARD OF APPEALS**

**WHEREAS**, a vacancy exists on the Town of Canandaigua Zoning Board of Appeals due to a resignation; and

**WHEREAS**, the Town Board wishes to fill the vacant unexpired term in order to support the continued operation of the Zoning Board of Appeals; and

**WHEREAS**, John Casey currently serves as the Alternate member on the Zoning Board of Appeals; and

**NOW THEREFORE BE IT RESOLVED**, that the Canandaigua Town Board hereby approves the appointment of John Casey to the vacant position on Zoning Board of Appeals for the remainder of the term expiring December 31, 2025; and

**BE IT FURTHER RESOLVED**, the Town Board directs the Town Clerk to provide a copy of this resolution to the Human Resources and Payroll Coordinator, the Town Planner, and the Zoning Board of Appeals.

**RESOLUTION NO. 2022 - 104 : AUTHORIZING APPOINTMENT OF A CLERK, PART-TIME FOR THE DEVELOPMENT OFFICE**

**WHEREAS**, the Town of Canandaigua Town Board (herein after referred to as 'Town Board') understands a vacancy exists in the Development Office for a Clerk, Part Time; and

**WHEREAS**, the Town Manager and HR and Payroll Coordinator have determined a need to fill this position in order to continue to provide necessary services to the Town; and

**WHEREAS**, the Human Resource and Payroll Coordinator received nine applications for the position and, along with the Town Planner, conducted interviews with four qualified candidates; and

**WHEREAS**, the Town Planner and the HR and Payroll Coordinator are recommending the hiring of Kelley Weed at a rate of \$16.00/hour; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby authorized the appointment of Kelley Weed to Clerk, part-time at an hourly rate of \$16.00 to be paid from the 2022 adopted budget line AA100.8010.144 with a start date of March 1, 2022; and

**BE IT FURTHER RESOLVED**, the Town Manager is authorized to execute all documents necessary; and

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

**RESOLUTION NO. 2022 – 105: ACCEPTANCE OF AN AGREEMENT WITH FINGER LAKES LAND TRUST FOR SNOW REMOVAL AT THE VISTA PRESERVE AND AUTHORIZATION FOR TOWN MANAGER TO EXECUTE AGREEMENT**

**WHEREAS**, the Town of Canandaigua Town Board (herein after referred to as "Town Board") is in receipt of a draft agreement between the Town of Canandaigua and the Finger Lakes Land Trust (FLLT) that allows the Town to access the driveway and parking area of the Canandaigua Vista

Preserve for the purposes of snow removal by Town employees while also holding the Town and its employees harmless against liability, claims, and damages; and

**WHEREAS**, the Town Manager and the Parks Coordinator are recommending the Town Board accept this agreement with the FLLT because providing this snow removal service will make the Canandaigua Vista Preserve more accessible during the winter for visitors to enjoy, many of whom are town residents; and

**WHEREAS**, it is understood by all parties that the snow removal at the Canandaigua Vista Preserve will be secondary to snow removal done by the Town on Town properties and roadways and will be done at the availability of Town employees and equipment; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby accepts the agreement between the Finger Lakes Land Trust and the Town of Canandaigua for snow removal at the Canandaigua Vista Preserve and authorizes the Town Manager to execute the contract; and

**BE IT FINALLY RESOLVED**, the Town Clerk is directed to provide a copy of this resolution to the Director of the Finger Lakes Land Trust, the Parks Coordinator, and the Town Manager.

Attachment # 13

**RESOLUTION NO. 2022 – 106: LINCOLN HILL CATERING ALCOHOLIC BEVERAGES LICENSE NOTICE**

**WHEREAS**, on February 28, 2022, the Town Clerk received a 30-Day Advanced Notice, (“30-Day Notice”), for a New Application of the On-Premises Alcoholic Beverages license application for Lincoln Hill Catering located at 3530 East Lake Road (State Route 354, Bar / Tavern); and

**WHEREAS**, the Town does not express any opinion for or against the application; and

**NOW, THEREFORE, BE IT RESOLVED** that, the Town Board takes no further action relative to the 30-Day Notice.

Attachment # 14

**RESOLUTION NO. 2022 – 107: SOIL EROSION AND SEDIMENT CONTROL SURETY FOR 4476, 4472, 4468, & 4464 COUNTY ROAD 16 (TAX MAP #s 126.20-1-17.100, 17.200, 17.300 & 17.400)**

**WHEREAS**, the Town of Canandaigua Planning Board has granted a site plan approval for the development of a detached garage located at 4476, 4472, 4468, & 4464 County Road 16 (Tax Map #s 126.20-1-17.100, 17.200, 17.300 & 17.400); 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 \$6,094.55 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 & Additions LLC) in the total amount of \$6,094.55.

Attachment # 15

**RESOLUTION NO. 2022 – 108: ACCEPTANCE OF LETTER OF CREDIT FOR DEVELOPMENT OF PIERCE BROOK SUBDIVISION, SECTION 1**

**WHEREAS**, the Town of Canandaigua Planning Board has granted a final subdivision approval for Section 1 of the Pierce Brook Subdivision to be developed by S & J Morrell, Inc.; and

**WHEREAS**, the Town of Canandaigua Planning Board has determined that a surety for demolition, earthwork, erosion control, storm system, water system, pavement, landscaping, and NYS DOT right-of-way utility work surety is to be provided and accepted by the Town Board; and

**WHEREAS**, the Town Engineer, MRB Group, 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 Town Attorney, Christian Nadler, has reviewed the Irrevocable Standby Letter of Credit found it to be satisfactory to meet the conditions of approval and the work to be completed; and

**WHEREAS**, the applicant has provided an Irrevocable Standby Letter of Credit in the amount of \$1,286,743.00 for the purposes of demolition, earthwork, erosion control, storm system, water system, pavement, landscaping, and NYS DOT right-of-way utility work; and

**NOW, THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby approves and accepts the Irrevocable Standby Letter of Credit in the total amount of \$1,286,743.00.

Attachment # 16

**RESOLUTION NO. 2022 – 109: TOWN BOARD OF CANANDAIGUA'S POSITION IN OPPOSITION TO ANY DECREASE TO THE FARM LABOR OVERTIME THRESHOLD**

**WHEREAS**, Agriculture is New York State's largest industry; and

**WHEREAS**, There are 33,400 farms in NYS and 6,900,000 acres of operated farmland; and

**WHEREAS**, Farms are critical components of our regional and town economy and are necessary to ensure supermarkets are stocked with food; and

**WHEREAS**, The agricultural industry in New York State contributed more than \$5.4 billion in agricultural economy sales to the New York economy each year; and

**WHEREAS**, The Farm Laborers Wage Board has proposed to decrease the farm labor overtime threshold from 60 to 40 hours; and

**WHEREAS,** From the outset of the COVID-19 pandemic, farmers have stepped up and ensured their operations continued and were responsible for donating thousands of pounds of food to local food banks at a time of significant need; and

**WHEREAS,** Western New York farmers face a tremendous number of challenges outside of their control including changes in consumer demand leading to price change, obtaining labor, climate change, land management policies, foreign market competition, livestock and crop disease; and

**WHEREAS,** In addition to the practical issues related to growing and selling food products, New York farmers have to contend with wavering levels of government regulations including changes in wages and overtime threshold; and

**WHEREAS,** One of the more pressing issues for the farming community has been mandated overtime requirements since the 2019 Farm Laborers Fair Practice Act, currently gives farmworkers a right to overtime after sixty (60) hours work each week; and

**WHEREAS,** Western New York farmers are reliant on migratory work forces during the short growing season here in Western New York as workers are here for only a few months in the spring and summer and they have only so many hours each year to get the work done; and

**WHEREAS,** The Act does not prohibit the Farm Laborers Wage Board from arbitrarily decreasing the overtime threshold again thereby increasing costs to local farms; and

**WHEREAS,** Decreasing the overtime threshold will negatively impact the farming community by increasing costs to farmers, who are already operating under very tight margins and will potentially cut into work opportunities for migrant workers; and

**WHEREAS,** Cutting budgeted support levels and drastically increasing costs through government interference should be avoided whenever possible; and

**WHEREAS,** NYS Assembly Deputy Minority Leader Steve Hawley has voiced concern through letters written to Governor Kathy Hochul and NYS Labor Commissioner dated January 31, 2022; and

**WHEREAS,** Most of the testimony provided in the hearing process requested “No Change” to the overtime threshold. This is another example of the New York City interests ignoring the “other New York” and its robust economy; and

**NOW THEREFORE BE IT RESOLVED,** the Town Board of the Town of Canandaigua urges the support of the farmers and workers who do not want their hours reduced and urges utilizing all budgeted funding for the promotion of New York State farming products, provide critical applied research, ensure access to markets, educate the public and connect them to their food and other programs designed to benefit local farmers; and

**BE IT FURTHER RESOLVED,** this Board urges opposing any decrease to the 60 hour farm worker overtime threshold proposed by the Farm Laborers Wage Board; and

**BE IT FURTHER RESOLVED,** that certified copies of this resolution be sent by the Clerk of the Town of Canandaigua to Governor Kathy Hochul, Senator Majority Leader Stewart-Cousins, NYS Assembly Speaker Heastie, Assemblyman Hawley, Senator Rath, NYS Labor Commissioner, NYS Agriculture



and Markets Commissioner, NYS Farm Bureau, Assemblyman Jeff Gallahan, Senator Pamela Helming, and the Ontario County Farm Bureau.

- Approval of the following Town Board Meeting Minutes:  
February 16, 2022
- 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 03/04/2022 totaling \$ 12,205.21

|                 |             |
|-----------------|-------------|
| General Fund    | \$ 8,362.22 |
| Highway Fund    | \$ 379.03   |
| Water Districts | \$ 1,045.76 |
| Custodial Funds | \$ 2,418.20 |

Town Board Abstract dated 03/21/2022 totaling \$ 1,722,577.04

|                    |                 |
|--------------------|-----------------|
| General Fund       | \$ 184,086.92   |
| Highway Fund       | \$ 240,731.57   |
| Capital Projects   | \$ 21,062.75    |
| Fire Districts     | \$ 1,165,000.00 |
| Lighting Districts | \$ 945.15       |
| Water Districts    | \$ 108,284.55   |
| Custodial Funds    | \$ 2,466.10     |

- Privilege of the Floor
- Other Business
- Privilege of the Floor
- Executive Session, as requested
  - *Executive session request by the Town Supervisor for the employment history of a particular individual including Town Board, the Town Attorney and Town Manager designee (Human Resource & Payroll Coordinator).*
  - *Executive session request by the Town Supervisor for the proposed acquisition/sale/lease of real property when publicity might affect value including Town Board, the Town Attorney and Town Manager designee (Human Resource & Payroll Coordinator).*
- Adjournment