

**Canandaigua Town Board  
Meeting Minutes of December 21, 2015**

At 6:00 pm Supervisor Helming called the meeting to order. The Pledge of Allegiance was led by Councilman Ralph Brandt.

Roll Call:	Councilman Brandt	Present
	Councilman Cutri	Present
	Councilman Fennelly	Present
	Councilman Westbrook	Present
	Supervisor Helming	Present

Other in attendance: Al Kraus, Lew Smith, Ray Henry, Gary Davis, Joyce Marthaller, Mike Tuttobene, Mike Bryant, Oksana Fuller, and others who did not sign in.

**RESOLUTION 2015-294: HONORING COUNCILMAN RALPH BRANDT**

**WHEREAS**, Councilman Ralph Brandt has served with distinction as a Canandaigua Town Board member from January 1, 2000 – December 31, 2015; and

**WHEREAS**, prior to serving as a Town Board member, Councilman Brandt served on the Zoning Board of Appeals from December 1990 – December 1999; and

**WHEREAS**, during his tenure Councilman Brandt served in several leadership capacities including Interim Town Supervisor, Deputy Town Supervisor and Chairman of the Zoning Board of Appeals; and

**WHEREAS**, throughout his years of service, Councilman Brandt ensured the views and interests of the citizens were fairly represented; and

**WHEREAS**, Councilman Brandt displayed his passion and commitment for the community in countless ways including advocating for comprehensive planning that promotes smart growth and natural resource protection; and

**WHEREAS**, Councilman Brandt's commitment to the community extends beyond service to the Town and includes serving as a Rotarian for more than 20 years and being named a Paul Harris Award recipient on multiple occasions; and

**WHEREAS**, Councilman Brandt's determination, belief in a participatory democratic system and dedication to the people of the Town of Canandaigua will be missed; and

**WHEREAS**, Councilman Brandt's family, friends, coworkers and members of the community are gathered here to honor him for his many years of dedicated service to the people of the greater Canandaigua community; and

**NOW THEREFORE BE IT RESOLVED**, that the Canandaigua Town Board, staff and community express our deepest gratitude to Councilman Brandt for his work as a tireless champion of the Town and the greater Canandaigua community; we thank him for his years of service and wish him the best of luck with future endeavors.

Motion made by Councilman Fennelly, seconded by Councilman Cutri

4 Ayes: Cutri, Fennelly, Helming, Westbrook

Councilman Brandt stated that it has been a privilege to serve the Town. It has not been a task; it's been one that he has greatly enjoyed. Councilman Brandt looks forward to all the good things that the boards will do in the future.

Supervisor Helming presented Councilman Brandt a framed copy of the resolution and a certificate from Assembly Leader Brian Kolb in recognition of Councilman Brandt's many years of service to the Town. Supervisor Helming announced that Councilman Brandt has agreed to be a member of the Ordinance / Codes Committee that will be formed in 2016.

Supervisor Helming recognized staff and board members who have upcoming birthdays: Barbara Henry, Wayne Bellis, David Prull, and John Robortella.

Circulation of Written Communications and Correspondence

- Email, Karl and Helga Boelter, Residents of Overlook Lane, Old Brookside Trail, December 14, 2015
- Letter, Time Warner Cable, Chris Mueller, Director of Local Franchising, New Monthly Prices Effective on Next Billing Statement
- Newsletter, DePaul, Annual Appeal, December 7, 2015
- Notification, NY-Alert, Ontario, Victor, Sewage Discharge, December 8, 2015
- Newsletter, DePaul, Trolley Station News, December 7, 2015
- Letter, Time Warner Cable, Chris Mueller, Director of Local Franchising, Programming Updates, December 2, 2015
- Notification, NYS DCJS, Sex Offender Details, December 1, 2015
- Letter, The American Legion Auxiliary, Thanking the Town for the Gift Basket for the 28<sup>th</sup> Annual Rose Cornish Memorial Craft and Baked Goods Bazaar
- Newsletter, The Chronicles of the Ontario County Historical Society Museum and Research Center, Volume 44, Issue 4, December 2015
- Newsletter, Office for the Aging, Winter 2015
- Letter, U.S. Salt, LLC., Information on Their Coalition, November 23, 2015
- Letter, Time Warner Cable, Chris Mueller, Director of Local Franchising, Programming Updates, November 18, 2015
- Notification, NYS DCJS, Sex Offender Details, November 17, 2015
- Newsletter, DePaul Community Services Inc., Fall 2015, Volume XXI, Edition III
- Letter, Time Warner Cable, Chris Mueller, Director of Local Franchising, Programming Updates, November 4, 2015
- Letter, Department of Public Service, Department Actions and Proceedings, October 7, 2015

Supervisor Helming highlighted the letter from the American Legion Auxiliary thanking the Town for the gift basket that was donated in honor of Courtney Wagner for their annual fundraiser. The Town Hall staff donated the items for the gift basket. Yvonne Chavez stated that 100% of the proceeds went to local cancer charities and hospice.

Privilege of the Floor:

Michael Bryant, owner of Lot 141 in the Old Brookside subdivision, read a letter regarding his family's concerns regarding the trail spur that was installed adjacent to their property. Their concerns were related to safety, security, privacy, redundancy, and liability. Mr. Bryant asked the Town Board to consider removing the trail spur that is 10' 6" away from his home and develop a main trail head at Buffalo Street Extension with proper lighting and signage. Mr. Bryant stated that he did build his home on this lot knowing the trail was going to be installed at this location.

Mike Ruttobene, Overlook Lane, stated that he agrees with Mr. Bryant.

The Town Board discussed the following:

- The location of the trail and spurs on the site plan which is located entirely on Town of Canandaigua property
- The Old Brookside subdivision was approved as a Planned Unit Development (PUD) with single-family dwellings and multi-family dwellings
- The number of trail spurs within the Subdivision (there are five spurs)
- The possibility of a property owner installing fences or security lighting on their property
- The Town held an informational meeting in March 2015 to inform the residents of the installation of and location of the trail. *This was one of many meetings held and personal letters were sent prior to the meeting to property owners.* At the informational meeting, no one spoke against the trail. This trail was not a rush and the Town went above and beyond to make people aware of what is happening in their community.
- The trail will be following the existing deer and sewer paths to lessen the impact on the natural vegetation.

Supervisor Helming stated she, Doug Finch, and Attorney Brocklebank met with Mr. Bryant and advised Mr. Bryant to attend a Planning Board meeting and ask them to revisit the location of the trail. Mr. Bryant did discuss his concerns at a Planning Board meeting and the Planning Board decided to leave the decision as previously rendered.

Attorney Brocklebank stated that neither the Town Board nor the code enforcement officers have the authority to reverse a Planning Board's decision. The Town did have a well-vetted process and the Town Board did indicate that this would be the trail system to be implemented. The trail is part of the overall development plan and it forecloses the Town revisiting the location of the trail.

Supervisor Helming stated that going forward when a developer is proposing a trail within an open space area, the trail will be developed first before any homes are constructed. The

Trails Committee will be asked to propose setbacks requirements to property lines and the width of the trails.

Councilman Cutri stated that he understands Mr. Bryant's position. The Town did take a pro-active stance. Councilman Cutri stated that he was not in support of reversing the Planning Board's decision. Councilman Cutri advised Mr. Bryant to own and understand the trail and if Mr. Bryant sees anything out of the ordinary to call law enforcement.

Councilman Fennelly stated that the trail was reviewed adequately. The people who will use the trail will be your friends and neighbors.

Supervisor Helming invited both Mr. Bryant and Mr. Ruttobene to participate in the Parks and Trails Committees. Supervisor Helming suggested Mr. Bryant meet with Mr. Finch to discuss possible fencing and lighting.

Al Kraus, Onnalinda Drive, presented the Town Board with a draft brochure entitled Food Recycling Program. The program would encourage Town residents to recycle food waste. The benefits to recycling food waste would be to turn food waste into energy, reduce a demand on other energy sources, reduce waste going into the landfill and increases the life of the landfill, reduces use of food grinders and saves water and lowers demand on sewer treatment systems, and reduces odor, insect and animal problems associated with handling household waste. Town residents would collect food waste at their home. On Saturday and Sunday, Town residents would bring their food waste to the transfer station for recycling. On Monday a company (Natural Upcycling) would pick up the food waste and transfer it to their anaerobic digester.

The following was discussed by the Town Board:

- The cost to the Town vs. the cost savings of taking the food waste to the landfill
- Composting vs. recycling food waste
- What can and cannot be recycled (recycling of bones would need to be further investigated)
- Asking the Environmental Conservation Board to establish the rules
- The need to discuss the food recycling with the NYS DEC to see if organic recycling can be added to the Town's registration or permit

It was the consensus of the Town Board for Al Kraus to discuss this topic further with the Environmental Conservation Board and to work with Highway Superintendent James Fletcher.

Presentations:

Doug Finch, Director of Development, reviewed with the Town Board the Citizen's Implementation Committee's recommendations from each project team:

- Ag Team: The CIC recommends the Town Board hire a consultant to begin working with the Ag Team to complete the Ag Plan during 2016.
- NRI Team (Natural Resources Inventory): The CIC recommends the Town Board utilize a reserved section of the Town Code, §220-8, to be titled Natural Resource Protection. Within this section local laws would be adopted to address steep slopes, ridgelines, and shorelines. As work continues, the NRI team and CIC will work through the Planning Board and offer specific draft local laws for Town Board consideration. The steep slopes would be addressed first starting in January 2016, with ridgelines being addressed second, and finally shorelines would be addressed prior to the end of 2016.
- Conservation Easement Team: The CIC recommends the Town Board consider the following:
  - 1) Establish a new \$ 1,000 fee for all new construction to finance an open space fund;
  - 2) Make an annual appropriation from unexpended fund balance to open space fund, for example \$100,000 annually;
  - 3) Consider the outright purchase of important open space lands;
  - 4) Explore conservation programs such as Tompkins County;
  - 5) Host a public outreach meeting with Finger Lakes Land Trust;
  - 6) Consider adopting code updates to enhance Natural Conservation Resources;
  - 7) Consider code updates to give the Planning Board authority to require conservation space through subdivision review;
  - 8) Research opportunities for a right of first refusal for the conservation program;
  - 9) Continue to support the PDR program for Agriculture;
- Sewer Master Plan Team: The CIC recommends the following items to the Town Board as it pertains to the Sewer Master Plan Team:
  - 1) The CIC would like to meet jointly with the Sewer Master Plan Team in order to capture a narrative to accompany the sewer maps;

- 2) The sewer line expansion possibility area shall stop at Risser Road when traveling North on County Road 28;
  - 3) The sewer line expansion possibility area shall not include an addition to the RLD zoning district;
  - 4) Onsite Wastewater Treatment Inspection requirements (local law) shall be enacted rather than sewer expansion in the RLD zoning district;
  - 5) Work with the City of Canandaigua to explore the connection of Grandview Park to the City of Canandaigua's Wastewater Treatment facility without showing an expansion area all the way along Ontario Street Extension.
- Mixed Use Overlay Team (MUO): The CIC is recommending the Town Board consider the "Complete Streetscapes and Form-Based Zoning" concept in order to give direction to the CIC, Planning Board, and Development Office for future construction as it pertains to sidewalks, bike lanes, and overall walk-ability.

The Town Board discussed the following:

- Councilman Fennelly is not in favor of the \$1,000 open space fee *for new construction*.
- How the open space fund will be financed and prioritizing of unexpended fund balances. *It was the consensus of the Town Board to see what the Town has as an unexpended fund balance at the end of each year and determination as to how much would be appropriated to any fund based upon priorities.*
- Councilman Westbrook asked why the Hamlet of Cheshire was not identified in the Sewer Master Plan Team's recommendation. Mr. Finch explained that it is shown as an expansion area on a map.
- Councilman Brandt agrees with Councilman Fennelly regarding the \$1,000 open space fee.

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

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

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

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

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

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

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

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

Motion made by Councilman Cutri, seconded by Councilman Westbrook

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

Doug Finch, Director of Development, reviewed with the Town Board the results of the RFP/RFQ for the Farmland Enhancement Plan that was sent out in October 2015 by the CIC Ag Team. After holding a discovery meeting on November 5, three firms submitted proposals. The Ag Team met on December 5 to review each proposal. It was unanimous, the Ag Team is recommending LaBella Associates to complete the Town of Canandaigua Ag Enhancement Plan at a cost of \$25,000.

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

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

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

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

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

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

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

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

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

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

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

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

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

Motion made by Councilman Westbrook seconded by Councilman Cutri

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

James Fletcher, Highway Superintendent, presented two new alternatives for a new highway facility plan. The shop space was decreased which means less space for storage and equipment.

Alternative #1 is the most effective and prudent to keep all assets and operations in one compound without using the property to the east of Town Hall. It will meet the administrative and maintenance needs for the next 20 years and will meet today's needs for the truck bays. Alternative #1 will provide better operational flow, efficient operations, and better use of limited space; avoids loss of space due to a turn within the garage building; lowers the roof over administrative and maintenance areas, reduces energy costs and future maintenance costs; and preserves more space for the transfer station. This alternative would allow for future expansion of the highway garage. The total cost would be approximately \$5.7 million.

Alternative #2 is not nearly as effective as Alternative #1 from an operational and efficiency perspective and is less compatible with keeping the transfer station in its current location. Alternative #2 would cost approximately \$120,000 less than Alternative #1.

The Town Board discussed the following:

- If Alternative #1 would meet the needs of the Highway Department for the next 20 years. Superintendent Fletcher stated that using the model from MRB Group and the number of trucks the Town has now, it would meet the Town's current needs.
- The proposed square footage of the administrative and maintenance space should meet the needs for the next 20 years.
- The highway facility with the new equipment added in, would need to be expanded over time. The future needs will be more truck bays and more space for maintenance/storage.
- Almost a 13,000 square foot reduction in garage space comparing Alternative #1 to the plan that was presented at the November 2015 Town Board meeting.
- The flow of traffic to the transfer station still needs to be addressed.

The next step would be for MRB to submit a proposal to the Town to provide a new layout and program for Alternative #1. The proposal for Alternative #1 will be presented to the Town Board at the January 11, 2016, meeting.

Scott Bova (MRB Group) and Supervisor Helming updated the Town Board on the proposed shared court facility with the towns of East Bloomfield and West Bloomfield. A location has been identified in the Town of East Bloomfield just east of Route 444 behind the Veteran's Park. The square footage of the facility would be approximately 5,000 square feet with a shared court area and court clerk area and individual areas for the justice's chambers. The approximate cost to construct a new shared court house building would be \$1.6 to \$1.8 million. Supervisor Helming stated that more detailed information will be shared with the Town Board at a January 2016 meeting and approval for a shared facility would have to come from the NYS Court Administration. It was the consensus of the Town Board to move forward with the proposed project.

Councilman Cutri asked if the court room space could be used for other meetings / gatherings. Mr. Bova explained that the space may be able to be used for other needs.

Town Clerk Jean Chrisman reviewed the draft 2016 Fee Schedule. The layout of the fee schedule changed by placing department titles in alphabetical order and renaming Park and Recreation to Cabin/Pavilion/Lodge/Hall Rentals. The \$25 increase recommended by the Parks & Recreation Committee was added for the cabin/lodge/pavilion rentals at Onanda Park. The Development Office also modified the layout of their department's fees by single-family residential/manufactured homes, multi-family dwelling/manufactured homes communities, and commercial/industrial fees. The fees associated with the Water Department and Town Clerk's office were also added to the Fee Schedule.

The Town Board discussed the following:

- Councilman Westbrook commented on the dog fees. Clerk Chrisman explained that the Town of Canandaigua's dog fees are less than other municipalities.
- Councilman Cutri discussed that he was approached by a volunteer fire department to consider a fee to fund a maintenance reserve fund for the each fire department. Supervisor Helming and Attorney Brocklebank explained that they did not believe the Town could do this.
- Mr. Finch explained the change in the fee for an application to the Zoning Board of Appeals. The change is to charge \$100 for each variance requested.

#### **RESOLUTION NO. 2015-273: ADOPTION OF THE 2016 FEE SCHEDULE**

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

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

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

Motion made by Councilman Cutri, seconded by Councilman Brandt

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

Christopher Lyon, Assessor, and Supervisor Helming briefly reviewed the Town's new website with the Town Board. Mr. Lyon sent the website link to the Board members via email. Supervisor Helming stated that the website does not look like what many of us thought it would look like. The first concern is the appearance of the website and the second is the amount of work that has been put back on the department heads. We were hoping that our website would look like the City of Albuquerque as we like the look of it, the colors, etc. Councilman Cutri stated the City of Albuquerque's website is organized and you can see the hyperlinks as well as the links at the top of the web page. Councilman Cutri further stated that the fonts on the Town of Canandaigua webpage look terrible and is disappointed in the layout of the website and staff is left with the majority of the work.

## Public Hearings

At 8:15 pm, Supervisor Helming opened the continued public hearing on the proposed text code amendments to Chapter 220 §220-37, Motor Vehicle Service Stations and Motor Vehicle Repair Stations.

Mr. Finch explained that this local law has been referred to the Planning Board and Zoning Board of Appeals. A letter of support from the Planning Board has been received by the Town Board. The Zoning Board of Appeals has no objections to the local law.

The following discussion took place:

- Councilman Brandt asked what is the reason why the Planning Board is in favor of this local law. Mr. Finch explained that it removes that section law which dictates the 1,000 foot separation and it gives the Planning Board more flexibility. The Planning Board likes having the discretion where they could require additional landscaping or other mechanisms to make sure the project fits within an area as opposed to being bound by a rigid distance.
- Supervisor Helming stated that the Ontario County Planning Board recommended approval.
- Councilman Fennelly stated that he is opposed to the local law as it is being driven by a couple situations that the Town is trying to accommodate. The Town does not need a proliferation of gas stations as there are enough gas stations along Route 332.
- Kevin Reynolds, chairman of the ECB, stated that the ECB looked at the local law and had no objections.
- Councilman Cutri stated that years ago the gas storage tanks were an environmental concern so towns tried to separate gas stations. With today's technology and environmental safeties in place, Councilman Cutri does not have any concern.
- Councilman Brandt stated that the intent of the 1,000 foot separation was not for environmental purposes but for aesthetic reasons. The Town did not want to have a proliferation of gas stations.
- Supervisor Helming stated that giving the Planning Board more flexibility is key to work with an applicant to design and landscape a property.

At 8:21 Supervisor Helming closed the public hearing.

### **RESOLUTION # 2015 – 263: ADOPTION OF A TEXT CODE AMENDMENT (LOCAL LAW # 6) TO STRIKE § 220-37(M) RELATIVE TO MOTOR VEHICLE SERVICE STATIONS AND MOTOR VEHICLE REPAIR STATIONS WITHIN 1,000 FEET OF ONE ANOTHER**

**WHEREAS**, the Town Board of the Town of Canandaigua is considering a Text Code Amendment (Local Law # 6) in Chapter 220.Zoning Article VI. Regulations Governing Special Permit Uses. §220-37. Motor Vehicle Service Stations and Motor Vehicle repair stations. (M) pertaining to a one thousand foot buffer between properties of motor vehicle service stations and motor vehicle repair stations; and

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

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

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

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

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

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

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby adopts Local Law #6 striking section § 220-37 (M) from the Town Code of the Town of Canandaigua.

Motion made by Councilman Cutri, seconded by Supervisor Helming

3 Ayes: Cutri, Helming, Westbrook

2 Nays: Brandt, Fennelly

At 8:22 pm, Supervisor Helming opened the continued public hearing on the proposed additions to Town Code, Chapters 170 (Stormwater Management) and 172 (Stormwater Pollution Prevention).

Doug Finch, Director of Development, explained that a meeting was held with the Supervisor Helming, NYS DEC, code enforcement, and Kevin Olvany. There are a number of changes that have been identified that need to be addressed in the draft local law before the Town Board takes action. MRB Group has been asked to make the changes to the local law.

At 8:23 pm, Supervisor Helming continued the public hearing to the February 8, 2016, Town Board meeting.

There was no priority business to discuss.

Reports of Town Officials and Department Heads:

The monthly department head's monthly reports were attached to the agenda: There was nothing further to discuss with the Director of Parks & Recreation, Assessor, Historian, and Town Clerk.

Doug Finch, Director of Development, stated that there are two resolutions on the agenda this evening related to the Remote Attendance Policy for the Planning Board and the Padelford Brook Greenway.

Supervisor Helming reported the following:

- The financial reports, overtime report, and charge backs were distributed with the agenda.
- The Town of Canandaigua Democratic and Republican Committee's are working on a tentative swearing-in ceremony for Monday, January 11, 2016 at 5:00 pm. The Committees will contact with the elected officials.
- The Ontario County snow removal is a one-time reimbursement. The paperwork is due by December 31. Samantha Pierce did an amazing job putting together the information. The draft report was submitted to Ontario County. The Town is waiting for their feedback for submission of the final paperwork prior to the due date.
- Ontario County is now offering a dental program to individuals and families who do not have access to dental care. An individual can purchase the dental policy for \$32 or a family plan for \$50 per year. More information will be sent out via MailChimp.
- A meeting was held with Chris Hubler (CIG Insurance) and the department heads on insurance training. Supervisor Helming and Clerk Chrisman are creating an internal policy for contract maintenance to make sure the Town is requiring the correct insurance documentation.
- On Thursday, December 17, there was a town wide employee training on Workplace Violence and Sexual Harassment. A video program was used instead of paying an outside contractor \$1,500 to come do the training. The feedback from the staff was very positive. More video training will be incorporated in 2016.
- Every year, with the help of Clerk Chrisman, the Town adopts a less-fortunate family through the Canandaigua City School District. Supervisor Helming thanked everyone who participated in providing the gifts for the entire family. This year's family was large with 10 family members.
- On Tuesday, December 22, the Town Hall employees will be having their holiday luncheon. Everyone was invited to stop by. On Wednesday, December 23, everyone is invited to the Greenfront for an after work holiday gathering.



## Reports of Committees, Boards, and Commissions

There were no reports from the Planning Board, Zoning Board of Appeals, Safety/Security Committee, and Strategic Planning Committee. *The Public Works Committee, Technology Committee, and the Citizens Implementation Committee provided a report earlier in the meeting.*

**Environmental Conservation Board:** Chairman Reynolds reported that over the weekend a draft of the recycling brochure was circulate for comments. Chairman Reynolds hopes to continue working on the draft brochure after taking his seat as a Town Board member.

**Personnel Committee:** Supervisor Helming reported that Samantha Pierce, Mike Boyce, and she met with a health insurance representative last week. The Committee will be ready to make a recommendation to the Town Board in January or early February.

### Privilege of the Floor:

Yvonne Chavez, Middle Cheshire Road, asked about the traffic flow for the transfer station in relationship to the new highway facility. There has been an occasion when there have been nine lines of cars at the Town transfer station Councilman Fennelly stated that the new area for the transfer station will be able to accommodate that many cars however he did not know if the Town will want to have that many lines of cars at one time. The plan to build on the property to the east of Town Hall showed only four lanes of vehicles. What the Committee is proposing for the highway facility will not encroach upon the Transfer Station area. The Committee will need to address traffic control and the way people are disposing of their refuse.

### Resolutions

#### *Continued Resolutions:*

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

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

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

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

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

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

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

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

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

**BE IT FURTHER RESOLVED**, that

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

This resolution is being continued. Mr. Finch has been in contact with DASNY. The Town has submitted some additional paperwork and the Town should be receiving more information in the near future.

*New Resolutions:*

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

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

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

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

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

Motion made by Councilman Westbrook, seconded by Councilman Cutri

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

**RESOLUTION NO. 2015 - 271: CANANDAIGUA CONSOLIDATED WATER FUND TRANSFERS**

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

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

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

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

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

Motion made by Councilman Fennelly, seconded by Councilman Brandt

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

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

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

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

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

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

Motion made by Councilman Fennelly, seconded by Councilman Westbrook

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

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

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

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

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

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

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

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

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

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

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

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

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

**WHEREAS**, the Town Board of the Town of Canandaigua intends to hold a public hearing on the proposed text amendments at the regularly scheduled meeting of the Town Board of the Town of Canandaigua at 6:00pm on January 11, 2016 at the location of the Town Hall 5440 NYS Route 5 & 20 West Canandaigua; and

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

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

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

Motion made by Councilman Cutri, seconded by Councilman Brandt

Mr. Finch explained that the local law has been amended to include §18-2 (five members to seven members).

Councilman Cutri made a motion to amend the resolution to read as follows, seconded by Councilman Westbrook

**RESOLUTION # 2015-275: SETTING A PUBLIC HEARING ON A TEXT CODE AMENDEMENT TO TOWN CODE CHAPTER 18, SECTION 2 AND 3, ENVIRONMENTAL CONSERVATION BOARD; CHAIRMAN, RULES OF PROCEDURE, RECORDS**

**WHEREAS**, the Town of Canandaigua Town Board would like to hear from residents regarding a proposal to amend the Town Code of the Town of Canandaigua, § 18-2 and §18--3, pertaining to the Environmental Conservation Board's (ECB) rules of procedure and record keeping;

**WHEREAS**, this proposed text code amendment would remove the portion of § 18-3, requiring a recording secretary be selected from among Environmental Conservation Board members and would amend § 18-2 to increase the number of ECB members from five to seven:

§1. Legislative Intent. The intent of this Local Law is to update, clarify, and amend §18-3 of the Town of Canandaigua Town Code, and to increase the number of members on the Environmental Conservation Board.

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

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

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

- A. The ECB shall consist of seven members to be appointed by the Town Board for a term of five years.
- B. Vacancies on the ECB shall be filled in the same manner as the original appointment, except that a vacancy occurring other than by the expiration of term of office shall be filled only for the remainder of the unexpired term.

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

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

**WHEREAS**, the Town Board of the Town of Canandaigua has included in the Town of Canandaigua 2016 Town Budget a recording secretary (A.8020.160) for the Environmental Conservation Board; and

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

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

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

**WHEREAS**, the Town Board of the Town of Canandaigua intends to hold a public hearing on the proposed text amendments at the regularly scheduled meeting of the Town Board of the Town of Canandaigua at 6:00pm on January 11, 2016 at the location of the Town Hall 5440 NYS Route 5 & 20 West Canandaigua; and

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

**BE IT FURTHER RESOLVED**, the Town Board of the Town of Canandaigua directs the Director of Development to circulate LEAD AGENCY coordination request, proposed text code amendment §18-2 and § 18-3, and the Short Environmental Assessment Form part 1 project information to the following agencies: the Town of Canandaigua Environmental Conservation Board, the Town of Canandaigua Planning Board, the Town of Canandaigua Zoning Board of Appeals, and the Ontario County Planning Board, and

**BE IT FINALLY RESOLVED**, the Town Board direct the Town Clerk to provide notice of a public hearing scheduled for January 11, 2015 at 6:00pm on the proposed text code amendment in the newspaper of record.

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

Councilman Cutri made a motion to adopt the resolution as amended, seconded by Councilman Westbrook

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

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

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

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

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

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

Motion made by Councilman Brandt, seconded by Councilman Cutri

The Town Board discussed following:

- Could an alternate board member be appointed to the Planning Board rather than adopting a remote attendance policy.
- Councilman Cutri and Councilman Brandt did not have a concern with the remote access policy.
- When interviewing candidates for the Planning Board the Town Board needs to make sure the candidates are available year-round.
- Councilman Fennelly stated that applicants need to be able to see the Planning Board members face-to-face.
- What would happen when the remote connection a board member is using is lost.
- Supervisor Helming stated that the Town Board may not need to adopt the remote access policy. Attorney Brocklebank stated that the Planning Board does control their internal administration and it would be incumbent upon the Planning Board to also have some method to deal with the black out and interruptions that may occur.
- Mr. Finch stated that the software that would be used is Web-X as it is more reliable and you would be able to see the members on the screen and they would be able to see what was happening at the meeting; concern regarding applicants bringing paper copies of site plans to share with the Planning Board (Mr. Finch stated that the Planning Board is now requiring applicants to submit everything one week in advance of a meeting to the Development Office, if new information is brought to the meeting the application will be continued).
- Councilman Westbrook would like the responsibility to be the Planning Board's in regards to this policy and their needs.

2 Ayes: Brandt, Cutri

3 Nays: Fennelly, Helming Westbrook

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

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

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

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

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

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

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

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

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

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

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

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

Motion made by Councilman Fennelly, seconded by Councilman Brandt

Councilman Cutri asked if Phase 3 (rezoning of properties along Route 332) has been removed from the Greenway Plan. Mr. Finch confirmed that Phase 3 was removed from the Plan.

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

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

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

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

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

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

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

Motion made by Councilman Fennelly, seconded by Councilman Brandt

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

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

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

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

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

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

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

Motion made by Councilman Fennelly, seconded by Councilman Brandt

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

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

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

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

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

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

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

Motion made by Councilman Brandt, seconded by Councilman Fennelly

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

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

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

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

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

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

Motion made by Councilman Fennelly, seconded by Councilman Westbrook

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

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

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

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

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

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

1. Acknowledges and otherwise ratifies the Farmington Local Law as applicable to certain sanitary sewer districts located in the Town of Canandaigua by operation of Canandaigua Town Code 162-3.
2. The Farmington Local Law shall be enforced by the Town of Farmington, from time to time, and by the Town of Canandaigua to the extent necessary to confer jurisdiction on the Town of Farmington, as though the same local law had been adopted by the Town of Canandaigua.

Motion made by Councilman Brandt, seconded by Councilman Fennelly

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

**RESOLUTION NO. 2015-284: SETTING A PUBLIC HEARING REQUIRING PROPERTY OWNER'S TO INSTALL A PRESSURE REDUCING VALVE**

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

TOWN OF CANANDAIGUA  
LOCAL LAW NO. \_\_\_\_\_ OF THE YEAR 2016

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

**Section 1.**

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

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

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

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



Section 2.

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

Section 3.

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

Section 4.

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

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

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

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

Motion made by Councilman Fennelly, seconded by Councilman Brandt

Attorney Brocklebank stated that this local law was written generically and does expect some comments. The Town Board may want to articulate that the local law would not be applied retroactively. Superintendent Fletcher would like some specific specification that would have to be written into the development regulations.

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

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

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

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

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

Motion made by Councilman Fennelly, seconded by Councilman Brandt

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

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

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

**WHEREAS**, the County desires to provide such services for the compensation and on the terms as described in the contract; and

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

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

Motion made by Councilman Fennelly, seconded by Councilman Brandt

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

**RESOLUTION NO. 2015-287: INTEGRATED SYSTEMS PROFESSIONAL AGREEMENT**

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

**WHEREAS**, the Town’s current provider, Integrated Systems, has provided the Town with a quote for 100 hours at \$75 per hour; and

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

Motion made by Councilman Fennelly, seconded by Councilman Brandt

There was a discussion regarding the amount of money paid for services each year and Integrated Systems performing any work remotely.

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

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

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

Name	Position	2016 Rate	Wage Calculated	Frequency
CW	Court Clerk, PT	\$28.17	Hourly	Bi-weekly
David Prull	Town Justice	\$23,486.00	Annual Stipend	Bi-weekly
Walter Jones	Town Justice	\$23,486.00	Annual Stipend	Bi-weekly
SM	Clerk, Part-Time	\$10.86	Hourly	Bi-weekly
SP	Finance Clerk II	\$16.00	Hourly	Bi-weekly
Pam Helming	Budget Officer	\$4,394.00	Annual Stipend	Bi-weekly
KS	Bookkeeper	\$26,520.00	Annual Salary	Bi-weekly
Pam Helming	Town Supervisor	\$56,000.00	Annual Stipend	Bi-weekly
	Town Board Members	\$4,871.10	Annual Stipend	Bi-weekly
		\$3,490.00		
	Planning Board, Chair		Annual Stipend	Quarterly
	Planning Board Members	\$2,194.00	Annual Stipend	Quarterly
	Zoning Board of Appeals, Chair	\$1,801.00	Annual Stipend	Quarterly
	Zoning Board Members (4)	\$816.00	Annual Stipend	Quarterly
	ZBA Alternate	\$68.00	Per Voting Meeting	Quarterly
	ZBA Secretary P/T	\$14.20	Hourly	Bi-weekly
	Environmental Conservation Board Members	\$25.00	Per Voting Meeting	Quarterly
	Assess. Board of Review, Chair	\$500.00	Annual Stipend	Quarterly
	Assess. Board of Review Members	\$250.00	Annual Stipend	Quarterly
Jim Fletcher	Water Superintendent	\$15,606.00	Annual Stipend	Bi-weekly
Greg Westbrook	Deputy Supervisor	\$2,000.00	Annual Stipend	Bi-weekly
Jim Fletcher	Highway Superintendent	\$70,380.00	Annual Stipend	Bi-weekly
Pat Curran	Deputy Highway Superintendent	\$3,008.00	Annual Stipend	Bi-weekly
BH	Deputy Town Clerk F/T	\$16.39	Hourly	Bi-weekly

JM	Deputy Town Clerk P/T	\$14.83	Hourly	Bi-weekly
Jean Chrisman	Town Clerk	\$55,570.00	Annual Stipend	Bi-weekly
Jean Chrisman	Registrar of Vital Statistics	\$1,800.00	Annual Stipend	Quarterly
BH	Deputy Registrar of Vital Statistics	\$250.00	Annual Stipend	Quarterly
DB	Health Officer	1,200.00	Annual Stipend	Quarterly
RH	Town Historian	3,060.00	Annual Stipend	Quarterly
CJ	Code Enforcement Officer	54,363.00	Annual Salary	Bi-Weekly
DZ	Code Enforcement Officer	\$53,040.00	Annual Salary	Bi-Weekly
RB	Code Enforcement Officer P/T	\$18.82	Hourly	Bi-weekly
DF	Director of Development	\$82,750	Annual Salary	Bi-weekly
AC	Office Specialist #1	\$15.50	Hourly	Bi-weekly
MA	Office Specialist #1	\$14.25	Hourly	Bi-weekly
TM	Zoning, Inspector, Part-Time	\$20.00	Hourly	Bi-weekly
SR	Planning Aide	\$13.50	Hourly	Bi-weekly
JR	Secretary to Planning Board and ECB	\$12.00	Hourly	Bi-weekly
CL	Assessor	\$63,240.00	Annual Salary	Bi-weekly
PP	Real Property Appraisal Aide	\$20.40	Hourly	Bi-weekly
GC	Park-Laborer, F/T	\$16.74	Hourly	Bi-weekly
JW	Park-Laborer, F/T	\$18.13	Hourly	Bi-weekly
DB	Director of Parks & Recreation	\$25,000.00	Annual Stipend	Bi-weekly
TS	Parks Maintenance Assistant	\$23.46	Hourly	Bi-weekly
	Parks Seasonal Laborer 1, PT	\$12-15	Hourly	Bi-weekly
	Parks Seasonal Laborer 2, PT	\$11.00	Hourly	Bi-weekly
	Lifeguard	\$10.75	Hourly	Bi-weekly
	Senior Lifeguard	\$11.50	Hourly	Bi-weekly
	Recreation Specialist	\$10.00	Hourly	Bi-weekly
	Recreation Assistant	\$10.00	Hourly	Bi-weekly
	Recreation Attendant	\$9.25	Hourly	Bi-weekly
	Day Camp Specialist	\$10.75	Hourly	Bi-weekly
	Disc Golf	\$10.75 (not to exceed \$600)	Season	Bi-weekly
KB	Working Supervisor	\$27.17	Hourly	Bi-weekly
CL	Working Supervisor	\$27.17	Hourly	Bi-weekly
SR	Working Supervisor	\$27.17	Hourly	Bi-weekly
JM	MEO IV	\$25.89	Hourly	Bi-weekly
LR	MEO IV	\$25.89	Hourly	Bi-weekly
WB	Motor Equipment Operator	\$24.97	Hourly	Bi-weekly
JB	Motor Equipment Operator	\$24.97	Hourly	Bi-weekly
PC	Motor Equipment Operator	\$24.97	Hourly	Bi-weekly
CF	Motor Equipment Operator	\$24.97	Hourly	Bi-weekly
RK	Motor Equipment Operator	\$24.97	Hourly	Bi-weekly
SR	Motor Equipment Operator	\$24.97	Hourly	Bi-weekly
MB	Motor Equipment Operator	\$24.97	Hourly	Bi-weekly
TW	Motor Equipment	\$24.97	Hourly	Bi-weekly

	Operator			
JC	Motor Equipment Operator	\$20.50	Hourly	Bi-weekly
BV	Motor Equipment Operator	\$20.00	Hourly	Bi-weekly
LT	Motor Equipment Operator	\$23.50	Hourly	Bi-weekly
AM	Motor Equipment Operator	\$20.40	Hourly	Bi-weekly
KP	Motor Equipment Operator	\$20.40	Hourly	Bi-weekly
RW	Laborer, Part-Time	\$9.50	Hourly	Bi-weekly

Motion made by Councilman Fennelly, seconded by Councilman Brandt

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

**RESOLUTION NO. 2015-289: BUDGET TRANSFER REQUEST**

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

Account #	Description	To	From
	<b>GENERAL</b>		
A.1355.131	Assessor Aide FT	6260.92	
A.1355.400	Assessor. Contractual		6260.92
A.1220.121	Supervisor.Bookkeeper	320.00	
A.1430.410	Personnel.Contractual	250.00	
A.1410.141	Town Clerk.Deputy PT	1340.00	
A.1410.131	Town Clerk.Deputy FT	135.40	
A.1220.120	Supervisor.Deputy Supervisor	320.00	
A.1010.110	Town Board, Elected	.40	
A.1220.400	Supervisor, Contractual	6.08	
A.5010.120	Highway.Deputy	.20	
A.1990.400	Contingency		2372.08
A.1940.400	Purchase of Land/Rights of Way	26,377.50	
A.1990.400	Contingency		26,377.50
	<b>HIGHWAY</b>		
D.5130.400.101	Machinery, Cont, Car #1	212.60	
D.5130.400.201	Machinery, Cont, Truck #1	165.42	
D.5130.400.205	Machinery, Cont, Truck #5	5172.30	
D.5130.400.207	Machinery, Cont, Truck #7	1867.78	
D.5130.400.216	Machinery, Cont, Truck #16	122.18	
D.5130.400.217	Machinery, Cont, Truck #17	744.02	
D.5130.400.219	Machinery, Cont, Truck #19	152.20	
D.5130.400.308	Machinery, Cont, Loader #8	4681.34	
D.5130.400.324	Machinery, Cont, Excavator #24	443.70	
D.5130.400.326	Machinery, Cont, Tractor #26	135.00	
D.5130.400.0	Machinery, Contractual		13,696.54
D.9060.820	Hospital & Medical Buyout	1230.48	
D.9060.830	HSA Account		1230.48
D.5110.130	General Repairs Wages	73,000.00	
D.5142.130	Snow Removal.Wages		73,000.00
D.5110.410	Training & Membership	728.00	
D.5110.400	Repairs.Contractual		728.00
	<b>WATER</b>		
F.8310.131	<b>Motor Equipment Operator</b>	5000.00	
F.8310.410	<b>Legal Services</b>		5000.00

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

Motion made by Councilman Brandt, seconded by Councilman Fennelly

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

**RESOLUTION NO. 2015-290: BUDGET ADJUSTMENT REQUEST**

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

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

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

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

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

Motion made by Councilman Fennelly, seconded by Councilman Cutri

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

**RESOLUTION NO. 2015-291: BUDGET ADJUSTMENT REQUEST**

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

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

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

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

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

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

Motion made by Councilman Fennelly, seconded by Councilman Cutri

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

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

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

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

**WHEREAS**, the Town Board has reviewed revisions to selected policies contained in the Employee Handbook and has approved the revised content, which are reflected in the amendments on file in the Town Clerk's office; therefore

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

Motion made by Councilman Fennelly, seconded by Councilman Cutri

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

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

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

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

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

**WHEREAS**, for this to occur, NYSDOT requires an executed Shared Service Agreement; and

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

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

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

This resolution was tabled as Superintendent Fletcher has received more information. The resolution may be on the January 11, 2016, agenda.

**RESOLUTION # 2015-295: APPOINTMENT OF ACCOUNT CLERK TYPIST TO FILL VACANT POSITION**

**WHEREAS**, the Canandaigua Town Board is considering a request to fill a vacant Account Clerk Typist position, and to fund the position; and

**WHEREAS**, the Town Highway & Water Superintendent and the Town Supervisor are requesting to fill the vacant Account Clerk Typist position to assist with the work load of the Highway and Water Departments replacing a former full time position known as Finance Clerk 2; and

**WHEREAS**, the Water Department requires assistance providing customer service functions and quarterly water billing to approximately 2,600 customers; and

**WHEREAS**, the Account Clerk-Typist will also be utilized to meet the Highway office needs including assisting the Highway Superintendent with the routine monitoring and implementation of required safety programs and MSDS, assisting with customer service, implementation of the routine drug and alcohol screening program, completion of various reports; and

**WHEREAS**, the Town Board has budgeted for the position of Finance Clerk 2 (A.5010.131) in the 2016 approved municipal budget; and

**WHEREAS**, the Highway & Water Superintendent and the Town Supervisor have coordinated review with the Ontario County Office of Human Resources, conducted interviews, checked references, and found a candidate to be well qualified to fill the position; and

**WHEREAS**, it is the recommendation of the Highway & Water Superintendent and the Town Supervisor that Kate Silverstrim be appointed to the vacant position of Account Clerk Typist at a rate of \$15.00 per hour; and

**WHEREAS**, the Highway Superintendent and Town Supervisor is also requesting a 2016 budget transfer in the amount of \$40,000 from A.5010.131 (Finance Clerk 2) to A.5010.130 (Account Clerk-Typist) to fund this position; and

**NOW THEREFORE BE IT RESOLVED**, the Canandaigua Town Board hereby appoints Kate Silverstrim to the vacant position of Account Clerk Typist at a rate of \$15.00 per hour; and

**BE IT FURTHER RESOLVED**, the Town Board of the Town of Canandaigua approves a budget transfer in the amount of \$40,000 from A.5010.131 to A.5010.130.

Motion made by Councilman Fennelly, seconded by Councilman Brandt

5 Ayes: Brandt, Cutri, Fennelly, Helming Westbrook

**RESOLUTION 2015-296: ACCEPTANCE OF THE TOWN OF CANANDAIGUA ENVIRONMENTAL CONSERVATION BOARD ANNUAL REPORT**

**WHEREAS**, the Town of Canandaigua Town Code §18-6 requires that the Environmental Conservation Board (ECB) submit an annual report to the Town Board no later than the first day of each year concerning the activities and work of the ECB and from time to time shall submit such reports and recommendations as may be required; and

**WHEREAS**, the Town Board of the Town of Canandaigua has received the annual report of the Town of Canandaigua Environmental Conservation Board; and

**WHEREAS**, the Town Board wishes to acknowledge receipt of said report; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua acknowledges and accepts the December 2015 report of the Town of Canandaigua Environmental Conservation Board; and

**BE IT FURTHER RESOLVED**, the Town Clerk shall send a copy of the ECB Annual Report to the NYS Department of Environmental Conservation so that it is received prior to January 1, 2016 due date.

Motion made by Councilman Fennelly, seconded by Councilman Cutri

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

**RESOLUTION 2015-297: KEVIN REYNOLDS RESIGNATION FROM THE TOWN OF CANANDAIGUA ENVIRONMENTAL CONSERVATION BOARD**

**WHEREAS**, Kevin Reynolds, Environmental Conservation Board Chairman and member has been elected to the Canandaigua Town Board effective January 1, 2016; and

**WHEREAS**, as Town Board member Mr. Reynolds is no longer able to serve as a ECB member and has therefore submitted his resignation effective December 31, 2015; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua acknowledges and accepts the December 31, 2015 resignation of Mr. Reynolds; and

**BE IT FURTHER RESOLVED**, the Canandaigua Town Board hereby thanks Mr. Reynolds for his service on the Environmental Conservation Board and his leadership as the ECB chairman; and

**BE IT FURTHER RESOLVED**, the Canandaigua Town Board hereby directs the Town Clerk to furnish one copy of the is resolution to both the Town of Canandaigua and the Ontario County Human Resources Departments.

Motion made by Councilman Brandt, seconded by Councilman Fennelly

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

**RESOLUTION 2015-298: WALTER W JONES RESIGNATION FROM THE TOWN OF CANANDAIGUA TOWN JUSTICE POSITION**

**WHEREAS**, Walter W Jones, Town Justice, has been elected to serve as Town Justice for a 4 year term effective beginning on January 1, 2016; and

**WHEREAS**, Justice Jones is currently serving a 4 year Town Justice term that ends on December 31, 2015; and

**WHEREAS**, Justice Jones desire to retire from his current position of Town Justice for one day beginning at midnight on December 30, 2015; and

**WHEREAS**, the purpose of retiring for 24 hours is to allow Justice Jones to collect NYS Retirement benefits while at the same time collecting a salary as Town Justice; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board acknowledges receipt of Justice Jones resignation for a 24 hour period in order to collect NYS Retirement Benefits; and

**BE IT FURTHER RESOLVED**, the Canandaigua Town Board hereby directs the Town Clerk to furnish one copy of this resolution to both the Town of Canandaigua and the Ontario County Human Resource Departments.

Motion made by Councilman Fennelly, seconded by Councilman Brandt

There was a discussion regarding the purpose of this resolution, why Justice Jones was resigning for one day, how/why elected officials can collect a retirement pension at the same time hold an elected paid position, and why the Town Board was entertaining this resolution.

2 Ayes: Brandt, Fennelly

3 Nays: Cutri, Helming, Westbrook

**RESOLUTION 2015-299: RESOLUTION SCHEDULING A SPECIAL TOWN BOARD MEETING FOR JANUARY 4, 2016 AT 5PM**

**WHEREAS**, as of January 1, 2016, there will be an opening on the Environmental Conservation Board; and

**WHEREAS**, the vacancy has been advertised and the Town has received several applications from residents interested in filling the vacancy; and

**WHEREAS**, it is the desire of the Town Board to interview all interested applicants on January 4, 2016 and make an appointment(s) at the January 11, 2016 Town Board meeting; and

**NOW THEREFORE BE IT RESOLVED**, the Canandaigua Town Board hereby establishes a special meeting date of January 4, 2016 for the purpose of interviewing ECB candidates and conducting other Town Board business that may be required; and

**BE IT FURTHER RESOLVED**, the Canandaigua Town Board 2016 Organizational Meeting will be held on January 11, 2016.

Motion made by Councilman Fennelly, seconded by Councilman Brandt

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

Approval of the following Town Board Meeting Minutes

Councilman Cutri made a motion to approve the November 16, 2015, meeting minutes, seconded by Councilman Fennelly.

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

Approval of Charge Back Billing

Motion made by Councilman Fennelly, seconded by Councilman Cutri to approve the charge back billing dated December 11, 2015, in the amount of \$10,938.45.

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

Payment of the Bills

A motion was made by Councilman Fennelly, seconded by Councilman Cutri to approve the Voucher Summary Report dated December 8, 2015, to reflect a total of \$22,311.26 and Voucher Summary Report dated December 17, 2015, to reflect an amended amount of \$330,519.66.

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

Privilege of the Floor

Councilman Westbrook opened the discussion regarding the overtime report and significant number of overtime hours that are occurring on a Friday. Councilman Westbrook's concerns are the costs associated with the overtime that is occurring on a Friday. Councilman Westbrook stated that there is a model available to rotate the employees work days that is a benefit to the employees (work Monday through Thursday, possibly not work Friday, Saturday, Sunday, and Monday, come back in on a Tuesday to work through Friday and have a two-day weekend).

Superintendent Fletcher stated that he has been working different work schedules for the highway/water departments. Superintendent Fletcher further explained why the highway employees workday starts at 6:00 am (if the employees have to be called in at 4:00 am to plow the roads, it is saving the Town one hour of overtime) and ending their day at 4:30 pm allows the employees to make two three-hour snow plow trips rather than just one trip. Superintendent Fletcher is looking at splitting the crew by some working Monday through Thursday and half working Tuesday through Friday.

Councilman Cutri stated that the average overtime for the year across all seven days is 535 hours per day of the week. It would benefit the Highway Department to have employees scheduled on a Friday. Councilman Cutri requested Superintendent Fletcher to look at a five-day work week or some other scheduling to reduce the overtime hours.

Councilman Westbrook asked Superintendent Fletcher if he has talked with the Town of Victor or Farmington or Macedon to see how their departments are structured. Superintendent Fletcher stated that every municipality is different. Either they do four ten-hour days, or five eight-hour



days or four nine-hour days with four hours on Fridays. Some work four ten-hour days year round some work five eight-hour days year round.

Superintendent Fletcher will have information to present to the Town Board in January 2016.

Other Business – there was no other business to discuss

No one asked to speak under Privilege of the Floor.

#### Executive Session

At 9:20 pm, Supervisor Helming made a motion to enter into Executive Session for attorney client privilege and to allow Attorney Derek Brocklebank, Christopher Lyon, Doug Finch, and Superintendent James Fletcher to participate in the Executive Session; seconded by Councilman Cutri.

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

At 10:15 pm, Councilman Fennelly made a motion to adjourn the Executive Session, seconded by Councilman Cutri

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

#### Adjournment

At 10:16 pm, Councilman Brandt made a motion to adjourn the meeting seconded by Councilman Westbrook

5 Ayes: Brandt, Cutri, Fennelly, Helming, Westbrook

Jean Chrisman  
Town Clerk