

Canandaigua Town Board

Meeting Agenda

March 16, 2015

6:00pm

1. Call To Order and Pledge of Allegiance
 - Pledge led by Greg Westbrook, Deputy Town Supervisor
2. Roll Call
 - Town Clerk Confirmation meeting was properly advertised
3. Circulation of Written Communications and Correspondence
 - Letter, City of Canandaigua, John D. Goodwin, Assistant City Manager, Notice of 2015 Water Rates, February 12, 2015
 - Letter, Time Warner Cable, Chris Mueller, Director Local Franchising, Programming Updates, February 18, 2015
 - Letter, NYS Department of Environmental Conservation, Peggy Norry, Notice of Complete Application for Laura Lane Drainage Improvements, February 24, 2015
 - Letter, Yvonne Chavez, Recognizing the Highway Superintendent and Crew and the Transfer Station Employees for a Job Well Done, February 25, 2014
 - Letter, Time Warner Cable, Chris Mueller, Director Local Franchising, Programming Updates, March 4, 2015
 - Letter, Village of Victor, Village Clerk, Resolution #44-15, Sewer Master Plan, March 9, 2015
 - Newsletter, Finger Lakes Health, Lara Chatel Turbide, Vice President, Community Services, 2014-2014 Report to the Community, February 26, 2015
 - Newsletter, Office for the Aging, Irene Coveny, Director, February-April 2015
 - Newsletter, Finger Lakes Land Trust, Winter 2014-2015
 - Newsletter, The Inside Dirt, Cornell Cooperative Extension, March 2015
4. Privilege of the Floor
5. Presentations – Cheshire Fire Department, Chief Mike Miller, 2014 Annual Report (Attachment 19) ~ 5 min
Draft 2014 Annual Financial Report (AUD) Review & Draft Financial Management Policies
EFPR Solutions, Robert Fox and Kris Singer, Town of Canandaigua Bookkeeper, ~20 min
6. Public Hearings
 - Old Brookside Proposed Trail (Attachment 3)
 - Continuation of Proposed Local Law _____ of 2015;
Text Code Amendments to the Canandaigua Town Code
7. Priority Business
 - Town Board Strategic Planning Session – 1 hour
It is anticipated a motion to move this item to the end of the agenda will be approved.
8. Reports of Town Officials and Department Heads – Attachment 1
 - A. Director of Parks & Recreation
 - B. Highway Superintendent
 - C. Water Superintendent
 - D. Assessor
 - E. Development Director
 - F. Historian
 - G. Town Clerk
 - H. Supervisor
 1. Monthly Financial Report for February 2015
 - a. Revenue & Expense Report
 - b. EFPR Solutions Executive Summary

- c. Bank Reconciliation Report
- d. Overtime Report
2. Draft 2014 Annual Financial Report (AUD)

9. Reports of Committees, Boards, and Commissions

- A. Planning Board
- B. Zoning Board of Appeals
- C. Environmental Conservation Board
- D. Public Works Committee
- E. Technology Committee
- F. Safety/Security Committee
- G. Strategic Planning Committee
- H. Citizens Implementation Committee
- I. Personnel Committee

10. Privilege of the Floor

11. Resolutions

Continued Resolution:

RESOLUTION 2015-31: RECOMMENDATION FOR THE PURCHASE OF WASTE & RECYCLING EQUIPMENT

Tabled to the March 16, 2015 Town Board meeting.

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, the intent of this funding is to provide a means for the Town 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 14 x 20 building that meets the NYS Department of Environmental Conservation requirements for used electronics storage; estimated cost \$9,800.00; 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 \$26,700.00; and a
- 40-yard storage container; estimated cost \$8,300.00; and,

WHEREAS, the DASNY grant requires the Town to pay for these purchases up front and seek subsequent reimbursement therefore the Public Works Committee is recommending a temporary loan from Line _____ of the 2015 Adopted Budget to purchase this equipment; 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 \$ 47,300.00; and

BE IT FURTHER RESOLVED, 1. the Canandaigua Town Board hereby approves a temporary loan from Line _____ of the 2015 Adopted Budget for the purchase of this equipment with the understanding this line may not be overdrawn at any time; and 2. the Canandaigua

Town Board hereby directs the Town Clerk to forward copies of this resolution to the Town Bookkeeper and EFPR Solutions.

New Resolutions:

RESOLUTION # 2015 – 74: ACCEPTANCE AND APPROVAL OF THE CIC’s TOP FIVE ACTION STEPS FOR 2015

WHEREAS, the Citizens’ Implementation Committee (CIC) has been working to provide guidance and assistance in fully implementing the 2011 Comprehensive Plan Updates; and

WHEREAS, the CIC has previously presented revised action steps to further the goals identified in the Comprehensive Plan; and

WHEREAS, the Town Board has previously approved of those revised action steps; and

WHEREAS, the CIC has ranked the action steps and identified the top five action steps to be achieved for 2015 (Attachment 2); and

WHEREAS, the action steps identified include: 1) Development and implementation of a Town of Canandaigua Farmland Enhancement Program; 2) Determine if the Natural Resources Inventory, which replaced the Limited Development Overlay, is successful in preservation of significant environmental features or if additional code updates should be considered; 3) Research conservation programs for possible incentives available to landowners; 4) Development of a Town of Canandaigua sewer master plan, and 5) Review and consider code updates relative to the Mixed Use Overlay districts in order to maximize opportunities for commercial development; and

WHEREAS, the CIC would like the Town Board to confirm that these are indeed action steps that should be worked on during the calendar year 2015; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua thanks the CIC for their continued work and agrees with the top five priorities identified by the CIC for consideration in the calendar year 2015.

RESOLUTION # 2015 – 75: APPROVAL OF A PROPOSED TRAIL ON TOWN OF CANANDAIGUA PROPERTY AT OLD BROOKSIDE

WHEREAS, the Town of Canandaigua’s Planning Board granted Final Subdivision conditional approval on July 22, 2014 for Old Brookside, Section 6; and

WHEREAS, condition #7 states “The 5 foot wide stone dust trail as per the approved Neighborhood Improvements Plan dated March 2007, last revised November 19, 2007, and signed November 28, 2007 is to be installed in its entirety prior to the issuance of the 1st Certificate of Occupancy for the 1st house within Section 6 of Old Brookside”; and

WHEREAS, condition #8 states “The trail described in the 2004 approved Trails Plan that connects Old Brookside Apartments to Overlook Lane within Old Brookside Subdivision, shall be constructed as part of the Section 6 of Old Brookside, prior to the issuance of the 1st Certificate of Occupancy for the 1st house within Section 6 of Old Brookside”; and

WHEREAS, since the time of the original trails plan referenced above the Town of Canandaigua has since acquired the 56.371 acre parcel Tax Map ID # 830..-1-36.300 where those trails would have been constructed; and

WHEREAS, the Director of Development has met with the Trails Committee to talk about trail connectivity throughout the Town of Canandaigua; and

WHEREAS, a trail linkage from Buffalo Street Extension to State Route 5 & 20 would be a valuable linkage to connect the town hall parking area, and State Route 5 & 20 corridor to the area near Outhouse Memorial Park; and

WHEREAS, the Town Board has set and held a public hearing on March 16, 2015 at the Canandaigua Town Hall on the proposed trail (Attachment 3) to be constructed on the west side of Overlook Lane connecting Buffalo Street Extension to State Route 5 & 20; and

WHEREAS, the Town Board finds this trail to acceptable to be constructed on Town of Canandaigua owned property; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approves of the construction of the described trail on the west side of Overlook Lane between Old Brookside and Old Brookside Apartments between Buffalo Street Extension and connecting to an existing trail as described in the attached drawing Old Brookside Subdivision Trail Completion Plan labeled #15, 2131D with a date of January 2015; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua requests the Town of Canandaigua Planning Board to review this accepted trail completion plan for consideration to determine if it meets the conditions of approval in a conditional approval dated July 22, 2014.

RESOLUTION # 2015 – 76: SOIL EROSION CONTROL AND LANDSCAPE SURETY LAKESIDE ESTATES, SECTION 3, PHASE 1 (4196 COUNTY ROAD 16)

WHEREAS, the Town of Canandaigua Planning Board has granted final phased subdivision approval for the project known as Lakeside Estates Subdivision, Section 3, Phase 1, to be constructed at 4196 County Road 16; and

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

WHEREAS, the project engineer (DDS Engineers) has provided a soil erosion control and landscaping estimate in the amount of \$ 131,997.08 (Attachment 4); and

WHEREAS, the town engineer (MRB Group) has reviewed the proposed estimates and found them to be satisfactory to meet the conditions of approval and the work to be completed (Attachment 4); and

WHEREAS, the developer has submitted a letter of credit in the amount of \$ 131,997.08, which has been reviewed and approved by the Town Attorney (Attachment 4); and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approve and accept a soil erosion control and landscaping surety in the form of a letter of credit in the amount of \$ 131,997.08 pertaining to the construction of Lakeside Estates Subdivision, Section 3, Phase 1 located at 4196 County Road 16.

RESOLUTION # 2015 – 77: SOIL EROSION CONTROL AND LANDSCAPE SURETY OLD BROOKSIDE, SECTION 6 (BUFFALO STREET EXTENSION)

WHEREAS, the Town of Canandaigua Planning Board has granted final subdivision approval for the project known as Old Brookside, Section 6 to be constructed along Buffalo Street Extension; and

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

WHEREAS, the project engineer (BME) has provided a soil erosion control and landscaping estimate in the amount of \$ 452,237.18 (Attachment 5); and

WHEREAS, the town engineer (MRB Group) has reviewed the proposed estimates and found them to be satisfactory to meet the conditions of approval and the work to be completed (Attachment 5) pending Town Board approval of the trail to be constructed; and

WHEREAS, the developer has submitted a letter of credit in the amount of \$ 452,237.18, which has been reviewed and approved by the Town Attorney (*as of 3.9.15, letter of credit and town attorney are pending*); and

WHEREAS, the amount referenced includes surety for construction of a trail on town owned property on the west side of the Old Brookside subdivision; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approve and accept a soil erosion control and landscaping surety in the form of a letter of credit in the amount of \$ 452,237.18 pertaining to the construction of Old Brookside Section 6 to be developed off Buffalo Street Extension.

RESOLUTION # 2015 – 78: SOIL EROSION CONTROL AND LANDSCAPE SURETY VISION NISSAN (2375/2409 NYS ROUTE 332)

WHEREAS, the Town of Canandaigua Planning Board has granted single-stage site plan conditional approval for the construction of Vision Nissan, a car dealership to be located at the corner of NYS Route 332 and Aroline Road; and

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

WHEREAS, the project engineer (BME) has provided a soil erosion control bond estimate in the amount of \$ 49,276.70 (Attachment 6), and a landscaping estimate in the amount of \$29,510.80 (Attachment 6); and

WHEREAS, the town engineer (MRB Group) has reviewed the proposed estimates and found them to be satisfactory to meet the conditions of approval and the work to be completed (Attachment 6); and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approve and accept a soil erosion control bond in the amount of \$ 49,276.70, and a landscaping bond in the amount of \$29,510.80 pertaining to the construction of Vision Nissan at 2375/2409 NYS Route 332.

RESOLUTION # 2015 – 79: SOIL EROSION CONTROL AND LANDSCAPE SURETY DEPAUL TROLLEY STATION APARTMENTS (2464 COUNTY ROAD 28)

WHEREAS, the Town of Canandaigua Planning Board has granted single-stage site plan conditional approval for the construction of a 48-unit Apartment Complex (DePaul Trolley Station Apartments), to be built at 2464 County Road 28; and

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

WHEREAS, the project engineer (Parrone Engineering) has provided a soil erosion control and landscaping estimate in the amount of \$ 184,830.03 (Attachment 7); and

WHEREAS, the town engineer (MRB Group) has reviewed the proposed estimates and found them to be satisfactory to meet the conditions of approval and the work to be completed (Attachment 7); and

WHEREAS, the developer has submitted a letter of credit in the amount of \$ 184,830.03, which has been reviewed and approved by the Town Attorney; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approve and accept a soil erosion control and landscaping surety in the form of a letter of credit in the amount of \$ 184,830.03 pertaining to the construction of DePaul Trolley Station Apartments at 2464 County Road 28.

RESOLUTION # 2015 – 80: AUTHORIZATION TO ISSUE AN RFP/RFQ FOR A TOWN OF CANANDAIGUA FARMLAND ENHANCEMENT PLAN AND ACCEPTANCE OF A \$ 25,000 PLANNING GRANT FROM NYS AG AND MARKETS

WHEREAS, the Town of Canandaigua Comprehensive Plan Update of 2011 places a priority on the establishment of a regulatory and economic framework that supports the protection and continued development of agriculture; and

WHEREAS, the Town of Canandaigua Town Board has appointed the Citizens' Implementation Committee (CIC), a group to work on implementation of the action steps to achieve the goals identified in the Comprehensive Plan Update of 2011; and

WHEREAS, the Town Board of the Town of Canandaigua has accepted and approved of the top five priority action steps for the calendar year 2015 from the CIC including the Development and Implementation of a Town of Canandaigua Farmland Enhancement Program; and

WHEREAS, the NYS Department of Agriculture and Markets has awarded the Town of Canandaigua the sum of \$ 25,000 to assist the Town in its agricultural and farmland protection planning program (Attachment 8); and

WHEREAS, the Town Board of the Town of Canandaigua would like to move forward with the development of such a plan to encourage the protection and promotion of agriculture in the Town of Canandaigua; and

WHEREAS, the Town Board of the Town of Canandaigua wishes to identify firms that might be interested in working with the Town of Canandaigua on a Farmland Enhancement Plan; and

WHEREAS, the Town Board of the Town of Canandaigua would like to welcome proposals for the development of such plan through the issuance of an Request For Proposals (RFP), and Request for Qualifications (RFP); and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby directs the Director of Development to create and issue an RFP/RFQ for the Development of a Town of Canandaigua Farmland Enhancement Program; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua authorizes the Town Supervisor to execute any and all documents relative to the contract and acceptance of a \$25,000 planning grant with the NYS Department of Agriculture and Markets.

RESOLUTION # 2015 – 81: SEQR DETERMINATION OF NON-SIGNIFICANCE FOR TEXT CODE AMENDMENTS IN THE RESIDENTIAL LAKE DISTRICT

WHEREAS, the Town Board of the Town of Canandaigua is considering Text Code Amendments in the Residential Lake Zoning District (RLD); and

WHEREAS, the Town Board of the Town of Canandaigua determines said proposed Text Code Amendments are classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

WHEREAS, the Town of Canandaigua Development Office has coordinated the review of the proposed Text Code Amendments with a number of agencies and stakeholders including the Town of Canandaigua Planning Board, the Town of Canandaigua Zoning Board, the Town of Canandaigua Environmental Conservation Board, the Town of Canandaigua Citizens' Implementation Committee, the Town of Canandaigua Highway Superintendent, the Town of Canandaigua Town Engineer, the Ontario County Planning Board, the Ontario County Agricultural Review Board, the Ontario County Department of Public Works, the Canandaigua Lake Watershed Inspector, and the Canandaigua Lake Watershed Council Manager; and

WHEREAS, the Town Board of the Town of Canandaigua held a public hearing on the proposed Text Code Amendments on February 23, 2015, and continued such public hearing until March 16, 2015 to continue to receive comments for residents and stakeholders; and

WHEREAS, the Citizens' Implementation Committee held a public forum to go through the proposed Text Code Amendments on February 3, 2015; and

WHEREAS, the Planning Board of the Town of Canandaigua has given consideration pertaining to recommendations of the Text Code Amendments at their meetings on November 11, 2014; November 25, 2014; December 9, 2014; February 10, 2015; and February 24, 2015; 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 (Attachment 9); and

WHEREAS, the Town Board of the Town of Canandaigua has completed Part 2 and Part 3 of the Short Environmental Assessment Form (Attachment 9); and

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

BE IT FURTHER RESOLVED, the Town Supervisor 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.

RESOLUTION # 2015 – 82: SEQR DETERMINATION OF NON-SIGNIFICANCE FOR TEXT CODE AMENDMENTS IN THE MIXED USE OVERLAY DISTRICT

WHEREAS, the Town Board of the Town of Canandaigua is considering Text Code Amendments in the Mixed Use Overlay (MUO) Zoning District; and

WHEREAS, the Town Board of the Town of Canandaigua determines said proposed Text Code Amendments are classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

WHEREAS, the Town of Canandaigua Development Office has coordinated the review of the proposed Text Code Amendments with a number of agencies and stakeholders including the Town of Canandaigua Planning Board, the Town of Canandaigua Zoning Board, the Town of Canandaigua Environmental Conservation Board, the Town of Canandaigua Citizens' Implementation Committee, the Town of Canandaigua Highway Superintendent, the Town of Canandaigua Town Engineer, the Ontario County Planning Board, the Ontario County Agricultural Review Board, the Ontario County Department of Public Works, the Canandaigua Lake Watershed Inspector, and the Canandaigua Lake Watershed Council Manager; and

WHEREAS, the Town Board of the Town of Canandaigua held a public hearing on the proposed Text Code Amendments on February 23, 2015, and continued such public hearing until March 16, 2015 to continue to receive comments for residents and stakeholders; and

WHEREAS, the Citizens' Implementation Committee held a public forum to go through the proposed Text Code Amendments on February 3, 2015; and

WHEREAS, the Planning Board of the Town of Canandaigua has given consideration pertaining to recommendations of the Text Code Amendments at their meetings on November 11, 2014; November 25, 2014; December 9, 2014; February 10, 2015; and February 24, 2015; 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 (Attachment 10); and

WHEREAS, the Town Board of the Town of Canandaigua has completed Part 2 and Part 3 (Attachment 10) 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 Text Code Amendments; 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 Text Code Amendments; and

BE IT FURTHER RESOLVED, the Town Supervisor 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.

RESOLUTION # 2015 – 83: SEQR DETERMINATION OF NON-SIGNIFICANCE FOR TEXT CODE AMENDMENTS KNOWN AS GENERAL PROVISIONS (INCLUDING: DEFINITIONS, ZONING, ANIMALS, SUBDIVISION, AND FLOOD DAMAGE PREVENTION CHAPTERS OF THE TOWN OF CANANDAIGUA TOWN CODE)

WHEREAS, the Town Board of the Town of Canandaigua is considering Text Code Amendments as it pertains to general provisions including amendments to the following categories: definitions, zoning, animals, subdivision, and flood damage prevention chapters; and

WHEREAS, the above described proposed Text Code Amendments are found in Chapters 79, 115, 152, 174, and 220 of the Town of Canandaigua Town Code; and

WHEREAS, the Town Board of the Town of Canandaigua determines said proposed Text Code Amendments are classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

WHEREAS, the Town of Canandaigua Development Office has coordinated the review of the proposed Text Code Amendments with a number of agencies and stakeholders including the Town of Canandaigua Planning Board, the Town of Canandaigua Zoning Board, the Town of Canandaigua Environmental Conservation Board, the Town of Canandaigua Citizens' Implementation Committee, the Town of Canandaigua Highway Superintendent, the Town of Canandaigua Town Engineer, the Ontario County Planning Board, the Ontario County Agricultural Review Board, the Ontario County Department of Public Works, the Canandaigua Lake Watershed Inspector, and the Canandaigua Lake Watershed Council Manager; and

WHEREAS, the Town Board of the Town of Canandaigua held a public hearing on the proposed Text Code Amendments on February 23, 2015, and continued such public hearing until March 16, 2015 to continue to receive comments for residents and stakeholders; and

WHEREAS, the Citizens' Implementation Committee held a public forum to go through the proposed Text Code Amendments on February 3, 2015; and

WHEREAS, the Planning Board of the Town of Canandaigua has given consideration pertaining to recommendations of the Text Code Amendments at their meetings on November 11, 2014; November 25, 2014; December 9, 2014; February 10, 2015; and February 24, 2015; 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 (Attachment 11); and

WHEREAS, the Town Board of the Town of Canandaigua has completed Part 2 and Part 3 of the Short Environmental Assessment Form (Attachment 11); and

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

BE IT FURTHER RESOLVED, the Town Supervisor 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.

RESOLUTION # 2015 – 84: AUTHORIZATION TO PROCEED WITH MRB FOR MS4 PROGRAM DEVELOPMENT, MCM #3, #4, #5; LOCAL LAWS

WHEREAS, the Town of Canandaigua is in the first year of Municipal Separate Storm Sewer System (MS4) Management Program and Plan implementation; and

WHEREAS, during the first three years of developing a Storm Water Management Program and Plan the NYS Department of Environmental Conservation (DEC) requires that certain Minimum Control Measures (MCM's) be achieved; and

WHEREAS, the timeline required by the DEC requires that certain local laws are to be developed to comply with the following categories including: 1) Illicit Discharge Detection and Elimination; 2) Construction Site Runoff Controls; and 3) Post Construction Management; and

WHEREAS, the Town Engineer (MRB Group) has provided a proposal (Attachment 12) to review existing town code and make recommendations for specific local laws to be considered in order to achieve compliance with the DEC requirements pertaining to MS4; and

WHEREAS, MRB's proposal to assist with the development of the MS4 Program in the amount of \$ 9,000; and

WHEREAS, the Town of Canandaigua has been awarded a grant to help with MS4 compliance and implementation including the cost of the local law drafting in the amount of \$ 9,000; and

NOW THEREFORE BE IT RESOLVED, the town board of the Town of Canandaigua hereby authorizes the Town Supervisor to sign any and all documents required to execute the proposal for the completion of MS4 Development by MRB in an amount not to exceed \$ 9,000.

RESOLUTION # 2015 – 85: ACCEPTANCE AND APPROVAL OF THE DRAFT MS4 ANNUAL REPORT, AND DESIGNATION OF SWMP CORDINATOR

WHEREAS, the Town of Canandaigua is in the first year of the Municipal Separate Storm Sewer Program (MS4) mandated upon the Town of Canandaigua by the NYS Department of Environmental Conservation (DEC); and

WHEREAS, the Town of Canandaigua is required to provide a first year report for the period ending March 9, 2015; and

WHEREAS, Code Enforcement Officer Christopher Jensen, working with Canandaigua Lake Watershed Manager Kevin Olvany, and Canandaigua Town Highway Superintendent Jim Fletcher have prepared a draft of the first year MS4 Annual Report (Attachment 13); and

WHEREAS, the Town Board of the Town of Canandaigua would like to designate Code Enforcement Officer Christopher I. Jensen as the Town of Canandaigua's Stormwater Management Program (SWMP) Coordinator; and

WHEREAS, the Town Board of the Town of Canandaigua has reviewed the draft MS4 Annual Report for the period ending March 9, 2015; and

WHEREAS, the public is able to view a draft copy of the report available on the Town of Canandaigua's website; and

WHEREAS, the Town Board of the Town of Canandaigua wishes to submit the report as required to the MS4 Permit Coordinator, Division of Water, 4th Floor, 625 Broadway, Albany, NY 12233-3505; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua does hereby designate Christopher I. Jensen as the Town of Canandaigua's Stormwater Management Program (SWMP) Coordinator; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua does hereby approve and accept the drafted MS4 Annual Report; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua does hereby authorize the Town Supervisor to execute any and all documents required to file the MS4 Annual Report with the NYS DEC; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua does hereby direct the Town Clerk to file an executed copy of the MS4 Annual Report for the period ending March 9, 2015 at the address identified in the above resolution.

RESOLUTION # 2015 – 86: REQUEST TO SURPLUS EQUIPMENT

WHEREAS, the Town of Canandaigua purchased a 1986 Mack Dump Truck that is now at the end of its useful life; and

WHEREAS, the Town Highway Superintendent is requesting approval to surplus this vehicle and any spare parts designated for this vehicle; and

WHEREAS, the Town Highway Superintendent is proposing to send the vehicle to the Palmyra spring auctions; and

NOW THEREFORE BE IT RESOLVED, the Town Board hereby approves of the surplus of the 1986 Mack Dump Truck and spare parts and furthermore approves of selling the vehicle and parts at the Palmyra Auction.

RESOLUTION # 2015 – 87: PROPOSAL TO ACCEPT EASEMENT DEDICATIONS AND STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT FOR HAPPINESS HOUSE APARTMENTS

WHEREAS, the owner has offered for dedication to the Town of Canandaigua certain easements within the development identified as Happiness House Apartments, phase 2, and

WHEREAS, the easements are identified as the following:

- A. Access Easement (Attachment 17) as depicted on a plan prepared by McMahon LaRue Associates, P.C., entitled Access Easement, Project no. 1250-00;
- B. Water main Easement (Attachment 17) as depicted on a plan prepared by McMahon LaRue Associates, P.C., entitled Water Easement, Project no. 1250-00; and

WHEREAS, the owner has also offered a Storm Water Control Facility Maintenance Agreement (Attachment 17) to provide for the long term maintenance of those facilities,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Canandaigua in regular session duly convened that:

1. The Town of Canandaigua will accept the easement dedications above; and
2. The Town of Canandaigua will accept the Storm Water Control Facility Maintenance Agreement provided that the same is recorded in the Ontario County Clerk's Office once the final form has been approved by the attorney for the Town and that the fully executed document is recorded in the Ontario County Clerk's Office.
3. The attorney for the Town (or the Highway Superintendent, if available) is authorized to accept and execute the instruments necessary to effectuate the dedications, and is otherwise authorized to undertake all actions necessary, proper, and/or incidental to complete the dedications.

RESOLUTION # 2015 – 88: PROPOSAL TO HIRE PARKS MAINTENANCE ASSISTANT

WHEREAS, the Town of Canandaigua has an opening for a part-time Parks Maintenance Assistant position, and

WHEREAS, the Director of Parks and Recreation, the Highway Superintendent and the Parks and Recreation committee have confirmed there is a need to fill this position; and

WHEREAS, the Director of Parks and Recreation, the Highway Superintendent and members of the Parks and Recreation Committee conducted interviews with candidates pre-qualified by the Ontario County Department of Human Resources; and

WHEREAS, this interview committee recommends hiring _____ to fill the position; and

NOW THEREFORE BE IT RESOLVED, that the Canandaigua Town Board hereby approves the hiring of _____ to fill the part time Parks Maintenance Assistant position; and

BE IT FUTHER RESOLVED, 1. this hiring will be effective _____, contingent upon Director Dennis Brewer providing the Town Supervisor with the required new employee paperwork including a completed Ontario County Employment Application, written documentation of 3 reference checks, a completed Ontario County Report of Personnel Change form, and the correctly completed I-9 certifications; and
2. _____ shall be paid bi-weekly at a rate of \$_____/hour, to be charged to the 2015 Adopted Budget Line A.7110.121 and, 3. The Town Clerk is hereby directed to provide copies of this resolution to _____, Director Brewer, and the Town Supervisor (for the personnel file).

RESOLUTION 2015- 89: RE-APPOINTMENT TO THE ENVIRONMENTAL CONSERVATION BOARD

WHEREAS, Kevin Reynolds has served on the Environmental Conservation Board (ECB) for five years and has served as the chairperson of the ECB since 2010; and

WHEREAS, during his time on the ECB, Mr. Reynolds has served the community well and it is the desire of the Town Board to reappoint Kevin Reynolds to the ECB; and

NOW THEREFORE BE IT RESOLVED, the Town Board hereby:

1. Appoints Kevin Reynolds for a five-term beginning on January 1, 2015 and expiring on December 31, 2019; and
2. Directs Mr. Reynolds to sign his Oath of Office (ECB member and chairperson) in the Town Clerk's office by April 1, 2015; and
3. Directs the Town Clerk to update the official committee roster and provide this information, if needed to the NYS Association of Towns, the NYS Department of Environmental Conservation and the Ontario County Planning Department, and
4. Directs the Supervisor's office to file a Report of Personnel Change with the office of Ontario County Human Resources.

RESOLUTION 2015- 90: RECOGNIZING MS. COURTNEY WAGNER

WHEREAS, Ms. Courtney Wagner, Canandaigua Academy Class of 2015, has demonstrated tremendous courage and strength in the face of extreme personal challenge; and

WHEREAS, during this period, she has utilized her personal situation as an opportunity to raise awareness of childhood cancer for the purpose of helping her fellow citizens; and **WHEREAS**, Ms. Wagner has been a true inspiration to the Canandaigua community and people throughout our nation; and

WHEREAS, Courtney Wagner, a Canandaigua Brave, has been a true inspiration to this community through her academic, athletic, and extra-curricular achievements, as well as nationally through her television appearance;

NOW THEREFORE BE IT RESOLVED, that the Town of Canandaigua Town Board hereby recognizes and congratulates Courtney Wagner for her demonstrated bravery - above and beyond - and resilience, fortitude, and caring concern for others;

BE IT FURTHER RESOLVED, the Town of Canandaigua hereby declares, Saturday, March 14th, 2015 as Courtney Wagner Day, to recognize Courtney on her 18th Birthday for all of her achievements.

RESOLUTION 2015- 91: AUTHORIZATION TO RENEW INSURANCE COVERAGE

WHEREAS, the Town's insurance agent, Edwin Perego with CIG Insurance Agency is recommending the Town renew coverage with Selective, National Grange Mutual, USLI, and Shelter Point Insurance Companies (Attachment 20); and

WHEREAS, the total premium cost for 2015-2016 will not exceed \$113,928.20 which is a reduction from the 2014-2015 cost of \$115,868.70; and

NOW THEREFORE BE IT RESOLVED, that the Canandaigua Town Board hereby approves the insurance renewal as outlined on the CIG proposal letter dated 3.10.2015 and signed by Edwin C. Perego.

RESOLUTION 2015- 92: ACCEPTANCE OF THE 2014 ANNUAL FINANCIAL STATEMENT (AUD)

WHEREAS, General Municipal Law requires filing an Annual Financial Report (AUD); and

WHEREAS, the AUD must be filed prior to April 1st; and

WHEREAS, during the March 16, 2015 Town Board meeting the Bookkeeper for the Supervisor and the Town Board's Financial Management Consultant, EFPR Solutions, reviewed the draft AUD with the Town Board and the public; and

WHEREAS, the Town Board finds the information to be correct and the report ready for submittal; and

NOW THEREFORE BE IT RESOLVED, the Town Board hereby directs the Town Budget Officer, the Town's Bookkeeper and the Town's Financial Management Consultant to file the AUD prior to the April 1st deadline.

Proposed Local Laws:

LOCAL LAW OF 2015: TEXT CODE AMENDMENTS [220-21] TO THE RESIDENTIAL LAKE DISTRICT (RLD)

A LOCAL LAW AMENDING THE LOCAL LAW OF THE TOWN OF CANANDAIGUA, ONTARIO COUNTY, NEW YORK

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

WHEREAS, the Planning Board of the Town of Canandaigua has recommended specific text code amendments in the Residential Lake District (RLD); and

WHEREAS, the Town Board of the Town of Canandaigua held a public hearing on February 23, 2015 and continued such public hearing to March 16, 2015 for the purpose of receiving additional public comment(s); and

WHEREAS, the Town of Canandaigua Development Office has coordinated the review of the proposed Text Code Amendments with a number of agencies and stakeholders including the Town of Canandaigua Planning Board, the Town of Canandaigua Zoning Board, the Town of Canandaigua Environmental Conservation Board, the Town of Canandaigua Citizens' Implementation Committee, the Town of Canandaigua Highway Superintendent, the Town of Canandaigua Town Engineer, the Ontario County Planning Board, the Ontario County Agricultural Review Board, the Ontario County Department of Public Works, the Canandaigua Lake Watershed Inspector, and the Canandaigua Lake Watershed Council Manager; and

WHEREAS, the Town Board of the Town of Canandaigua has completed SEQR and found there to be no significant adverse impact with the proposed action; and

WHEREAS, the Town Board of the Town of Canandaigua wishes to adopt the local law attached (Attachment 14) pertaining to Text Code Amendments in the Residential Lake District, Chapter 220-21, and have the same filed with the Secretary of State; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby adopts Local Law No. _____ of the Year 2015; 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 to adopt said Local Law complete with Sections 1 through 4 (attached); 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 FURTHER RESOLVED, the Town Board of the Town of Canandaigua hereby directs the Town Clerk to enter Local Law No. _____ of the Year 2015 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.

LOCAL LAW OF 2015: TEXT CODE AMENDMENTS [220-33] TO THE MIXED USE OVERLAY DISTRICT (MUO)

A LOCAL LAW AMENDING THE LOCAL LAW OF THE TOWN OF CANANDAIGUA, ONTARIO COUNTY, NEW YORK

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

WHEREAS, the Planning Board of the Town of Canandaigua has recommended specific text code amendments in the Mixed Use Overlay District (MUO); and

WHEREAS, the Town Board of the Town of Canandaigua held a public hearing on February 23, 2015 and continued such public hearing to March 16, 2015 for the purpose of receiving additional public comment(s); and

WHEREAS, the Town of Canandaigua Development Office has coordinated the review of the proposed Text Code Amendments with a number of agencies and stakeholders including the Town of Canandaigua Planning Board, the Town of Canandaigua Zoning Board, the Town of Canandaigua Environmental Conservation Board, the Town of Canandaigua Citizens' Implementation Committee, the Town of Canandaigua Highway Superintendent, the Town of Canandaigua Town Engineer, the Ontario County Planning Board, the Ontario County Agricultural Review Board, the Ontario County Department of Public Works, the Canandaigua Lake Watershed Inspector, and the Canandaigua Lake Watershed Council Manager; and

WHEREAS, the Town Board of the Town of Canandaigua has completed SEQR and found there to be no significant adverse impact with the proposed action; and

WHEREAS, the Town Board of the Town of Canandaigua wishes to adopt the local law attached (Attachment 15) pertaining to Text Code Amendments in the Mixed Use Overlay District, Chapter 220-33, and have the same filed with the Secretary of State; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby adopts Local Law No. _____ of the Year 2015; 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 to adopt said Local Law complete with Sections 1 through 4 (attached); 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 FURTHER RESOLVED, the Town Board of the Town of Canandaigua hereby directs the Town Clerk to enter Local Law No. _____ of the Year 2015 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.

LOCAL LAW OF 2015: TEXT CODE AMENDMENTS TO THE TOWN CODE OF THE TOWN OF CANANDAIGUA, GENERAL PROVISIONS

A LOCAL LAW AMENDING THE LOCAL LAW OF THE TOWN OF CANANDAIGUA, ONTARIO COUNTY, NEW YORK

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

WHEREAS, the Planning Board of the Town of Canandaigua has recommended specific text code amendments in the Town Code identified as general provisions; and

WHEREAS, the Town Board of the Town of Canandaigua held a public hearing on February 23, 2015 and continued such public hearing to March 16, 2015 for the purpose of receiving additional public comment(s); and

WHEREAS, the Town of Canandaigua Development Office has coordinated the review of the proposed Text Code Amendments with a number of agencies and stakeholders including the Town of Canandaigua Planning Board, the Town of Canandaigua Zoning Board, the Town of Canandaigua Environmental Conservation Board, the Town of Canandaigua Citizens' Implementation Committee, the Town of Canandaigua Highway Superintendent, the Town of Canandaigua Town Engineer, the Ontario County Planning Board, the Ontario County Agricultural Review Board, the Ontario County Department of Public Works, the Canandaigua Lake Watershed Inspector, and the Canandaigua Lake Watershed Council Manager; and

WHEREAS, the Town Board of the Town of Canandaigua has completed SEQR and found there to be no significant adverse impact with the proposed action; and

WHEREAS, the Town Board of the Town of Canandaigua wishes to adopt the local law attached (Attachment 16) pertaining to Text Code Amendments in Chapters 220, 115, 174, 79, 16, 1 – 17 (definitions) identified in the attached Local Law; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby adopts Local Law No. _____ of the Year 2015; 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 to adopt said Local Law complete with Sections 1 through 4 (attached); 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 FURTHER RESOLVED, the Town Board of the Town of Canandaigua hereby directs the Town Clerk to enter Local Law No. _____ of the Year 2015 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.

12. Approval of the following Minutes:
February 23, 2015 Meeting Minutes
13. Approval of Charge Back Billing – Attachment 18
14. Payment of the Bills
 - Abstract Claim Fund Totals presented by Town Clerk
 - Voucher Summary Report for Town Board signatures
(By signing, Town Board members represent they have reviewed & approve of the prepared Voucher Summary Report and the attached invoices)
15. Privilege of the Floor
16. Other Business
17. Privilege of the Floor
18. Executive Session, as requested
19. Adjournment