

Canandaigua Town Board
Meeting Agenda
July 20, 2015
6:00pm

1. Call To Order and Pledge of Allegiance
 - Pledge led by Greg Westbrook, Town Councilman
2. Roll Call
 - Town Clerk Confirmation meeting was properly advertised
3. Circulation of Written Communications and Correspondence
 - E-mail letter from Debby McNaughton re proposed Greenway Project, June 23, 2015
 - E-mail letter from Debby McNaughton re storm cleanup, June 23, 2015
 - E-mail correspondence from Chief Marentette re aircraft emergency at Canandaigua Airport, June 22, 2015
 - Flyer, AMA District II Fly-IN August 15 and 16, benefiting disabled veterans through the Canandaigua VA Medical Center
 - Newsletter, The Chronicles of the Ontario County Historical Society, June 2015
 - Letter, response to letter from Larry Fox, included, re Academy Cemetery, June 15, 2015
 - Letter from Town of South Bristol re SEQR Lead Agency status for the Everwilde Inn and Spa application, June 10, 2015.
 - Provider Directory from Finger Lakes Health
 - Newsletter, DePaul, Spring/Summer 2015
 - Newsletter, Finger Lakes Health, Spring 2015
 - Notification from NYS DCJS, Offender Details (1)
 - Letter, Time Warner Cable, Chris Mueller, Director Local Franchising, programming updates, June 17, 2015
 - Newsletter, Ontario County Soil & Water Conservation District, Summer 2015
 - Letter, Town of Richmond, thanking everyone for help received during flood, June 22, 2015
 - Letter, Ontario County Board of Elections, re poll site changes, June 16, 2015
 - Newsletter, lacy Katzen, LLP, Legal Notes Spring/Summer 2015
 - Letter, NYS Public Service Commission, telecommunications study announcement
 - Newsletter, DePaul, Trolley Station News, July 1, 2015
 - Report, Ontario County Sheriff's office, CVI conducted 6/8/15, June 13, 2015
 - Letter, Time Warner Cable, Chris Mueller, Director Local Franchising, programming updates, July 1, 2015
 - Letter, John and Mary Purdy, thanking Dennis Brewer for doing a great job at Pierce Park, July 6, 2015
 - Letter, Artisan Meats – formerly Hartmann's Olde World Sausage, announcing their new name, effective August 1, 2015, July 8, 2015
 - Notification from NYS DCJS, Offender Details (2)
 - Newsletter, HUNT, Spring 2015
 - Letter, NYS DOH re water sample results – Cdga/Farm Cons WD, July 9, 2015
4. Privilege of the Floor
5. Presentations
 - Kevin Olvany, Canandaigua Lake Watershed Manager, Town-City MS4 Award and 2015 Grant Application / Sucker Brook Priority Improvement Projects – 15 minutes

6. Public Hearings
 - Continued Public Hearing -Padelford Brook Greenway Plan (Plan). Recommended by the Town of Canandaigua Planning Board, the Plan recognizes the increasing development pressures on the northern portion of the Town and includes options for balancing development with the protection of the existing natural resources. The plan identifies areas of wetlands, floodplains, agricultural and farming activity, lands of statewide importance and prime soils, and wildlife corridors and outlines specific measures for protecting these areas.
 - Local Law to Override the Tax Cap
7. Priority Business
 - Public Works Committee on Campus Wide Study – 30 minutes
 - Cheshire Meeting Hall Parking
 - Request to rename Overlook Lane and to install a street light near the Buffalo St / Outhouse Park Intersection (Attachment #1)
8. Reports of Town Officials and Department Heads – (Attachment #2)
 - 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 June 2015
 - a. Revenue & Expense Report
 - b. EFPR Solutions Executive Summary
 - c. Bank Reconciliation Report
 - d. Overtime Report – General
 - e. Overtime Report – Highway / Water – January 2014 – July 4, 2015
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 Resolutions:

RESOLUTION 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, 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;

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, that

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.

RESOLUTION # 2015 – 142: SOIL EROSION CONTROL AND LANDSCAPE SURETY LAKEWOOD MEADOWS SUBDIVISION, SECTION 9A (3880 MIDDLE CHESHIRE)

WHEREAS, the Town of Canandaigua Planning Board has granted final phased subdivision plat approval for Lakewood Meadows Subdivision, Section 9A, consisting of 19 Townhouse lots; 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 (Marathon Engineering) has provided a soil erosion and a landscaping estimate in the amount of \$439,215; 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;

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approve and accept a soil erosion control and a landscaping letter of credit in the amount of \$439,215 pertaining to the construction of Lakewood Meadows 9A.

New Resolutions:

RESOLUTION 2015-157: SURPLUS OF EQUIPMENT

WHEREAS, the Town of Canandaigua has purchased a new telephone system, computer equipment, and other office furniture; and

WHEREAS, the Town wishes to declare the following items as surplus:

Desk Telephones and Headsets: (Tag # 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1746, 1747, 1748, 1749, 1750,1751, and 1752)

Office Furniture and Equipment: Blue Chair (no tag); MTS Stereo TV (Tag#1093), TV Stand (Tag #1096), VCR (Tag #1094), Desk Top Scanner (no tag), Overhead Projector (Tag #1069), and Brown Chair (Tag #0310).

Computer Equipment: Screen (Tag #1600, 1615, and no tag), Desk Top Computer (Tag #1581, 1596, 1629, 1632, 1660 and no tag), Lap Top Computers (Tag # 1244, 1458, and 1657); Keyboards (Tag # 1616, 1628, 1631, 1661, 1677, and no tag),

NOW, THEREFORE, BE IT RESOLVED, by the Town Board hereby approves the above items to be declared surplus and directs the Town Clerk to update the Town's accounting system and disposed of the equipment and furniture in a proper manner.

RESOLUTION #2015-158: AUTHORIZING LOCAL MATCHING DOLLARS FOR A GRANT APPLICATION TO IMPLEMENT THE SUCKER BROOK STORMWATER MANAGEMENT PROJECT

WHEREAS, the City of Canandaigua in partnership with the Canandaigua Lake Watershed Council intends to submit NYS Consolidated Funding Applications for the Comprehensive Strategy to Promote and Protect Canandaigua Lake Project; and

WHEREAS, the grant applications will implement a variety of projects including aquatic invasive species management, aquatic plant inventory of the lake, road bank and culvert replacement projects in various towns that have been hard hit by the storms of 2015, land use code updates to protect water quality, GIS datasets and technology updates, water trail access improvements, and the Sucker Brook Stormwater Improvement Project; and

WHEREAS, specifically the Sucker Brook stormwater management project will improve water quality, reduce flooding and improve habitat quality through the building and enhancement of wetland systems throughout the Sucker Brook watershed; and

WHEREAS, the Town of Canandaigua is partnering with the City of Canandaigua to provide the local matching dollars for the Sucker Brook stormwater management project to purchase land

and/or easements from private land owners or except donations of land to build these stormwater wetland systems; and

WHEREAS, the City of Canandaigua has reviewed the project and the local match funding needs and has approved providing \$175,000 in local matching dollars for the overall project over a four year period starting in 2016; and

WHEREAS, the Town of Canandaigua has previously approved providing \$100,000 in matching funds under a previous grant award and is being asked to provide an additional \$50,000 in matching dollars for the 2015 grant application;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Canandaigua that the Town of Canandaigua will provide an additional \$50,000 in matching funds with a total of \$150,000 in local matching dollars for the Sucker Brook Stormwater Improvement Project over a four year period starting in 2016.

RESOLUTION # 2015 - 159: ACCEPTANCE OF THE TOWN OF CANANDAIGUA PLANNING BOARD ANNUAL REPORT

WHEREAS, the Town Board of the Town of Canandaigua has received the annual report of the Town of Canandaigua Planning Board (Attachment 3); and

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

WHEREAS, the Town Board of the Town of Canandaigua wishes to extend appreciation to the Town of Canandaigua Planning Board for taking an active role in the long term planning of the Town of Canandaigua including working on code updates and implementation of the Comprehensive Plan with the assistance of the Citizens Implementation Committee;

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua acknowledges and accepts the July 2015 report of the Town of Canandaigua Planning Board (Attachment #4); and

BE IT FURTHER RESOLVED, the Town Board extends sincere appreciation to the members of the Planning Board for their continued work and time spent diligently assisting the residents and business owners of the Town of Canandaigua.

RESOLUTION # 2015 – 160: SEQR DETERMINATION OF NON-SIGNIFICANCE FOR MILLER PARK CONSTRUCTION AND IMPROVEMENTS

WHEREAS, the Town Board of the Town of Canandaigua is considering construction of a parking area, trails, signage, and driveway on property identified as Tax Map # 97.00-1-59.210; and

WHEREAS, the Town Board of the Town of Canandaigua has named the property identified above as Miller Park; and

WHEREAS, the Town Board of the Town of Canandaigua determines said proposed Text Code Amendments are classified as an Type II 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 Miller Park construction and improvements with a number of agencies and stakeholders including the Town of Canandaigua Planning Board, the Town of Canandaigua Environmental Conservation Board, the Town of Canandaigua Highway Superintendent, the

Ontario County Planning Board, the Ontario County Agricultural Review Board, the Ontario County Department of Public Works, the Canandaigua Lake Watershed Council Manager, the Canandaigua City School District, the NYS Office of Parks, Recreation, and Historic Preservation, and the New York State Department of Transportation (Attachment 4); and

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

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

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 will 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 improvements and construction at Miller Park; and

BE IT FINALLY RESOLVED, the Town Supervisor is hereby directed to sign the Short Environmental Assessment Form Part 3 (Attachment #5) 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 - 161: APPROVAL OF THE PADELDFORD BROOK GREENWAY PLAN PHASE 1, AND DIRECTION TO BEGIN THE IMPLEMENTATION PROCESS

WHEREAS, the Town of Canandaigua is experiencing an increase in development pressure on many natural resources in the northern portion of the Town of Canandaigua; and

WHEREAS, the Town of Canandaigua Planning Board, Environmental Conservation Board, Citizen's Implementation Committee, and Agriculture Project Team have recommended a plan to help identify areas of wetlands, floodplains, agricultural and farming activity, statewide importance and prime soils, and wildlife corridors; through a plan to be known as the Padelford Brook Greenway (Attachment #6); and

WHEREAS, the Town of Canandaigua Planning Board held a public informational session on a proposed greenway on May 12, 2015; and

WHEREAS, the Town of Canandaigua Town Board held a public hearing on the proposed Padelford Brook Greenway on June 22, 2015; and

WHEREAS, the Town of Canandaigua Planning Board reviewed the information presented at the Town of Canandaigua Town Board's public hearing at the Town of Canandaigua Planning Board meeting on June 23, 2015; and

WHEREAS, the Town of Canandaigua Planning Board recommended a revision to the plan based on the comments received which would draw the southerly border on the NYS Route 332 corridor at Yerkes Road; and

WHEREAS, the Town of Canandaigua Planning Board is recommending the Town Board of the Town of Canandaigua include the Padelford Brook Greenway as an addendum to the Town of Canandaigua's Comprehensive Plan; and

WHEREAS, the proposed Padelford Brook Greenway is proposed to be implemented in three different phases including: Phase 1) identification of the boundaries of the Padelford Brook Greenway; Phase 2) modification of the boundaries of the Mixed Use Overlay to extend from Canandaigua Farmington Town Line Road to Purdy Road; and Phase 3) rezoning of the properties between Purdy Road and Yerkes Road from Community Commercial to Agriculture Rural Residential 2; and

WHEREAS, the Town Board of the Town of Canandaigua wishes to begin the process of implementation of the Padelford Brook Greenway;

NOW THEREFORE BE IS RESOLVED, the Town Board of the Town of Canandaigua approves Phase 1 of the Padelford Brook Greenway plan identifying the boundaries of the Padelford Brook Greenway bordered on the west by the Town of East Bloomfield, on the east by the Town of Hopewell, on the north by the Town of Farmington, and generally follow the southern most border as identified in the plan as County Road 30, McCann Road, Yerkes Road, and Emerson Road; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua directs the Director of Development to begin the process and prepare the additional documentation needed to implement phase 2 of the Padelford Brook Greenway; and

BE IT FINALLY RESOLVED, the Town Board of the Town of Canandaigua directs the Director of Development to begin the process and prepare the additional documentation needed to implement phase 3 of the Padelford Brook Greenway.

RESOLUTION # 2015 -162: SETTING A PUBLIC HEARING ON THE IMPLEMENTATION OF THE PADELDFORD BROOK GREENWAY (PHASE 2)

WHEREAS, the Town of Canandaigua is experiencing an increase in development pressure on many natural resources in the northern portion of the Town of Canandaigua; and

WHEREAS, the Town of Canandaigua Planning Board has proposed a plan to help identify areas of wetlands, floodplains, agricultural and farming activity, statewide importance and prime soils, and wildlife corridors; through a plan to be known as the Padelford Brook Greenway; and

WHEREAS, the Town of Canandaigua Town Board has identified the area to be included in the Padelford Brook Greenway through implementation of Phase 1 of the Padelford Brook Greenway; and

WHEREAS, the Town Board of the Town of Canandaigua is giving consideration to Phase 2 which includes an amendment to the official zoning map of the Mixed Use Overlay resulting in the designation of MUO from Canandaigua Farmington Town Line Road south to Purdy Road; and

WHEREAS, Local Law ___ of 2015 would include such designation and update the official zoning map to include the Mixed Use Overlay districts; and

WHEREAS, the Town Board of the Town of Canandaigua would like to give interested residents the ability to share comments on the proposal; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua does hereby establish a public hearing on Local Law ___ of 2015, the implementation of Phase 2 of the Padelford Brook Greenway to be held at their next regularly scheduled August 17, 2015 at 6:00pm at the Canandaigua Town Hall.

Local Law No. ___ of the year **2015**

Section 1. Statement of Findings and Purpose. The purpose of this Local Law is to initiate Phase 2 of the Paddleford Brook Greenway Plan by eliminating the MUO growth node area along NYS Route 332 between Purdy Road and County Road 8, and to incorporate the remaining MUO growth node areas into the Official Zoning Map of the Town of Canandaigua.

§ 2. The Mixed Use Overlay (MUO) District Sub Areas Map, as prepared by MRB Group, dated 1-10-2007, is hereby approved and adopted with the following exception: the portion of the area designated as MUO-2 between Purdy Road and County Road 8 shall not be included in the Mixed Use Overlay (MUO) District.

(a) The portion of the area designated as MUO-2 between Purdy Road and Canandaigua-Farmington Town Line Road shall remain as part of the Mixed Use Overlay (MUO) District.

(b) The area designated as MUO-1 on the Mixed Use Overlay (MUO) District Sub Areas Map, as prepared by MRB Group, dated 1-10-2007, shall remain as part of the Mixed Use Overlay (MUO) District.

(c) The area designated as MUO-3 on the Mixed Use Overlay (MUO) District Sub Areas Map, as prepared by MRB Group, dated 1-10-2007, shall remain as part of the Mixed Use Overlay (MUO) District.

§ 3. The Official Zoning Map of the Town of Canandaigua is hereby amended to incorporate and delineate the Mixed Use Overlay District Sub Areas as described in § 2 of this Local Law, and the Town Clerk is authorized and directed to place her Official Signature on an updated Official Zoning Map conforming to the amendments authorized by this Local Law.

§ 4. If any part or provision of this Local Law or the application thereof to any person or circumstance shall 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.

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

§ 6. 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.

RESOLUTION # 2015 – 163: SEQR DETERMINATION OF NON-SIGNIFICANCE FOR TOWN OF CANANDAIGUA TRANSFER STATION PROJECT

WHEREAS, the Town Board of the Town of Canandaigua is considering improvements to be completed at the Town of Canandaigua's Transfer Station located at 5440 New York State Route 5 and 20 West; and

WHEREAS, the Town Board of the Town of Canandaigua determines said proposed improvements as an UNLISTED Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

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

WHEREAS, the Town Board of the Town of Canandaigua has completed Part 2 and Part 3 of the Short Environmental Assessment Form (Attachment 7);

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby designates itself as lead agency for the described improvements; 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 improvements and construction of the Canandaigua Transfer Station located at 5440 New York State Route 5 & 20; and

BE IT FINALLY 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 2015-164: INTEGRATED SYSTEMS PROFESSIONAL AGREEMENT

WHEREAS, the Town of Canandaigua's existing service contract with Integrated Systems for 100 hours at \$75 per hour has been depleted; and

WHEREAS, the Town has a need for continued IT support services for the remainder of 2015; and

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

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 (Attachment 8).

RESOLUTION 2015- 165: PURCHASING OF TWO OFFICE COPIERS FOR TOWN HALL

WHEREAS, on May 18, 2015 the Town Board adopted Resolution 2015-121 authorizing the Town Clerk to advertise an RFQ; and

WHEREAS, on June 4, 2015, the RFQ was sent to four local vendors of which three submitted an answer on or before Friday, June 19; and

WHEREAS, \$8,000.00 was budgeted under A.1670.200 for the purchase a new copier;

WHEREAS, the Technology Committee reviewed the submittals and recommends the Town Board approves the bid from Toshiba Business Solutions and purchase from the NYS Copier Contract a Toshiba e-Studio 3055c color and black/white copier / scanner / printer at a price of \$6,672.00 plus a maintenance fee of \$0.0114 for each black/white print and \$0.0650 for each color print and a Toshiba e-Studio 357 black/white copier / scanner / printer at a cost of \$4,478.00 with a monthly maintenance of \$0.0085 for each print for a total of \$11,150.00; and

WHEREAS, the Technology Committee recommends that the additional \$3,150 be used from the Town's Technology Reserve Fund to purchase the two copiers;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Canandaigua authorizes the purchase of the Toshiba e-Studio 3055c color and black/white copier / scanner / printer at a price of \$6,672.00 plus a monthly maintenance fee of \$0.0114 for each black/white print and \$0.0650 for each color print, the Toshiba e-Studio 357 black/white copier / scanner / printer at a cost of \$4,478.00 with a monthly maintenance of \$0.0085 for each print, and use \$3,150 from the Technology Reserve Fund to purchase both copiers.

RESOLUTION 2015- 166: PURCHASING OF TWO OFFICE COPIERS USING A PREFERRED PAYMENT PLAN

WHEREAS, on May 18, 2015the Town Board adopted Resolution 2015-121 authorizing the Town Clerk to advertise an RFQ; and

WHEREAS, on June 4, 2015, the RFQ was sent to four local vendors of which three submitted an answer on or before Friday, June 19; and

WHEREAS, \$8,000.00 was budgeted under A.1670.200 for the purchase a new copier;

WHEREAS, the Technology Committee reviewed the submittals and recommends the Town Board approves the bid from Toshiba Business Solutions and purchase from the NYS Copier Contract a Toshiba e-Studio 3055c color and black/white copier / scanner / printer at a price of \$6,672.00 plus a monthly maintenance fee of \$0.0114 for each black/white print and \$0.0650 for each color print and purchase a Toshiba e-Studio 357 black/white copier / scanner / printer at a cost of \$4,478.00 with a monthly maintenance fee of \$0.0085 for each print for a total cost of \$11,150.00; and

WHEREAS, the Technology Committee is also recommending that the Town use the proposed Preferred Payment Plan to purchase the two copiers at a 0% interest rate for 36 months at \$309.75 per month plus the monthly maintenance fees;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Canandaigua authorizes the purchase of the Toshiba e-Studio 3055c color and black/white copier / scanner / printer at a price of \$6,672.00 plus monthly maintenance fees and the Toshiba e-Studio 357 black/white copier / scanner / printer at a cost of \$4,478.00 plus the monthly maintenance fees using the 36-month Preferred Payment Plan.

RESOLUTION 2015-167: REPLACEMENT OF AIR CONDITIONING CONDENSER UNIT

WHEREAS, on/about June 24, 2015, it came to the Town's attention that the air conditioning condenser was no longer was operable; and

WHEREAS, the Town Clerk obtained repair quotes from three local vendors; and

WHEREAS, Potter HVAC & Metal Fab Inc. submitted the lowest bid to replace the existing 5 ton York condenser and coil at a cost of \$4,275.00; and

WHEREAS, monies to cover the cost of this repair will be withdrawn from A.1620.400 (Buildings Contractual) budget line:

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Canandaigua authorizes the air conditioning condenser and coil to be replaced by Potter HVAC as quickly as possible.

RESOLUTION 2015-168: TO AMEND THE 2015 284 HIGHWAY AGREEMENT

WHEREAS, the Highway Superintendent is proposing several revisions to the 284 Highway Agreement that was previously approved on December 22, 2014 for the 2015 fiscal year (Attachment 9); and

WHEREAS, the requested modifications are needed to repair unanticipated road deterioration caused by unusually harsh weather conditions; and

WHEREAS, if approved the proposed revisions will not change the approved budgeted amount of \$1,794,810.00; and

NOW, THEREFORE, BE IT RESOLVED THAT the Canandaigua Town Board and the Town Highway Superintendent hereby agree to amend the 284 Highway Agreement as follows:

1. Install concrete gutters and under drain from Overlook Drive to Outhouse Road on Buffalo Street Ext and overlay with blacktop.
Previously budgeted \$ 174,000.
Modified Budget: Reduce to \$ 0
2. Surface treat roads with oil and stone 17 miles of roads.
Previously budgeted \$ 274,910
Surface treat roads with oil and stone 14-15 miles of roads (will depend upon materials costs).
Modified Budget: Reduce to \$ 254,810
3. Rebuild Parrish St. Ext. between the city line and 5 & 20 with concrete gutters, drainage, blacktop, sub base and sidewalks.

Previously budgeted \$ 537,000

Sidewalks, some of the stone work and driveway approaches will not be completed in 2015.

Modified budget: Reduce to \$ 319,000

4. Asphalt wedging on shoulders that need it.

Previously budgeted \$ 100,000

Modified Budget: N/A. No change proposed.

5. Micro pave subdivision roads in Stablegate Subdivision, Butler Road, and Middle Cheshire Road from Chatham Ln to Butler Road.

Previously budgeted \$ 101,000

Proposed modification: N/A. Maintain at \$101,000

6. Remove and replace all concrete gutters, underdrain, driveway approaches, and pave Laura Lane.

Previously budgeted \$ 383,000

Drainage only in 2015.

Modified Budget: Reduce to \$ 40,000

7. Remove and replace cross culverts on Old West Lake Road and pave.

Previously budgeted \$ 224,000

Modified Budget: Reduce to \$ 0

New Projects:

8. Hickox Road \$ 180,000

9. New Michigan Road \$ 300,000

10. Deuel Road \$ 500,000

Total Estimated Expenditure \$ 1,794,810.00

RESOLUTION 2015-169: REQUESTING APPROVAL OF EMERGENCY REPAIR OF DEUEL ROAD

WHEREAS, the Highway Superintendent is requesting to use section 103-4 of the General Municipal Law for the purpose of making emergency repairs to a section of Deuel Road that was damaged due to heavy rains; and

WHEREAS, this is necessitated by virtue of a public emergency arising from an unforeseen occurrence affecting public property where immediate action is required that cannot wait for competitive bidding;

NOW, THEREFORE, BE IT RESOLVED that the Canandaigua Town Board hereby grants approval to allow the emergency work on Deuel Road to be performed.

RESOLUTION # 2015 – 170: AUTHORIZATION TO SUBMIT CONSOLIDATED FUNDING GRANT APPLICATION FOR THE PURPOSES OF INFRASTRUCTURE IMPROVEMENTS ON DEUEL ROAD

WHEREAS, the Town Board of the Town of Canandaigua is considering making a consolidated grant funding application for the purposes of infrastructure improvements along Deuel Road; and

WHEREAS, recent rain events have caused a situation to cause concern for a steep slope in close proximity to the roadway resulting in the closure of a portion of Deuel Road; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby authorizes Supervisor Helming, the Highway Superintendent, and/or the Director of Development to execute documents necessary for the submission of an approximate \$500,000 consolidated grant funding application pertaining to infrastructure improvements for Deuel Road.

RESOLUTION 2015-171: AUTHORIZING THE ADOPTION OF LOCAL LAW NO. ____ FOR THE PURPOSE OF OVERRIDING THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Canandaigua for a public hearing to be held by said Town Board on June 15, 2015, at 6:00 p.m. at the Canandaigua Town Hall, 5440 State Route 5 & 20, West, to hear all interested parties on a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Canandaigua, and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on July 20, 2015, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, barring any unforeseen circumstances including additional unfunded state mandates (such as compliance with new rules and regulations), unanticipated expenditures related to severe weather events, and increasing costs associated with necessary purchases relative to public safety (such as road salt), it is the intent of the Town Board of the Town of Canandaigua to remain in compliance with the established tax levy limit; and

WHEREAS, the Town Board of the Town of Canandaigua finds it in the best interest of the Town of Canandaigua to take this precautionary measure and adopt said Local Law; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Canandaigua hereby adopts said Local Law No. ____ of 2015, entitled, "A local law to override the tax levy limit established in General Municipal Law §3-c", a copy of which follows and is made a part of this resolution, and be it further

RESOLVED, that the Town Clerk is hereby directed to enter said Local Law 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, and the Clerk to the Ontario County Board of Supervisors.

Local Law No. ___ of the year 2015

A local law to override the tax levy limit established in General Municipal Law §3-c

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

Section 1: Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Canandaigua pursuant to General Municipal Law §3-c, and to allow the Town of Canandaigua to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2: Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3: Tax Levy Limit Override

The Town Board of the Town of Canandaigua, County of Ontario, is hereby authorized to adopt a budget for the fiscal year 2015 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4: Severability

If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this local law or in its application to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 5: Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION 2015-172: RESIGNATION OF PARKS COMMITTEE MEMBER

WHEREAS, Kevin Landrigan has loyally served the Town of Canandaigua as an active member of the Parks Committee for many years; and

WHEREAS, Mr. Landrigan has indicated his desire to resign from the board in order to devote more time to his family and other interests; and

WHEREAS, the Town of Canandaigua wishes to thank Mr. Landrigan for his unselfish service to the community; and

NOW THEREFORE BE IT RESOLVED, the Canandaigua Town Board hereby regretfully accepts the resignation of Kevin Landrigan and wishes him well with future endeavors.

RESOLUTION 2015-173 : ACCEPTANCE OF THE JUNE 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 Board; and

WHEREAS, the Town Supervisor provided the Town Board members with hard copies and electronic copies of the June 2015 Monthly Revenue/Expense Control Report, bank reconciliation reports, cash summary report, EFRP Solutions Executive Summary Report, the General Overtime Report, and a daily Overtime report for the Highway/Water Departments (Attachment 2); and

NOW THEREFORE BE IT RESOLVED, the Canandaigua Town Board hereby confirms receipt of these financial records.

12. Approval of the following Minutes:

Town Board Meeting Minutes: July 13, 2015

13. Approval of Charge Back Billing – (Attachment 10)

14. Payment of the Bills

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

15. Privilege of the Floor

16. Other Business

17. Privilege of the Floor

18. Executive Session, as requested

19. Adjournment