

Canandaigua Town Board

Meeting Agenda

September 21, 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
 - Notification, NYS DCJS, sex offender details, September 10, 2015
 - Letter, Application for re-zoning made by the project Everville Inn and Spa, September 10, 2015
 - Letter, Time Warner Cable, Chris Mueller, Director of Local Franchising, programming updates, September 2, 2015
 - Newsletter, The Inside Dirt, September 2015, Volume 13-Issue 8
 - Notification, NYS DCJS, sex offender details, August 31, 2015
 - Newsletter, Good Health, Summer 2015
 - Notification, NYS DCJS, sex offender details, August 26, 2015
 - Letter, Department of Public Service, fact sheets on two proceedings currently before the Commission, August 21, 2015
 - Letter, Time Warner Cable, Chris Mueller, Director of Local Franchising, programming updates, August 19, 2015
 - Newsletter, NYS Legislative Commission on Rural Resources, Summer 2015
 - Newsletter, Eye on the Courts, August 2015, Issue No. 42
 - Invitation, Fun on the Farm: Ontario County's Premier Agricultural Event
 - Letter, Ontario County Soil & Water Conservation District, August 2015
 - Newsletter, Afoot in the Field: A Resource for Conservation Landowners in the Finger Lakes Region, Summer 2015, Volume 6-Issue 2
4. Privilege of the Floor
5. Presentations
 - Recognition of Jane Hollen, Retiring Planning Board Member
 - Summer Recreation by P. Helming, Town Supervisor
 - Searchable Minutes by J. Chrisman, Town Clerk
 - Electronic Recycling Changes by J. Fletcher, Town Highway Superintendent
 - EFPR Reports on Canandaigua Water Procedures, Town Justices Agreed Upon Procedures Report and Town Clerk Agreed Upon Procedures Report by Robert Fox, ERPR Solutions
6. Public Hearings
 - Continued Public Hearing on a proposed Local Law to update the official zoning map to amend the Mixed Use Overlay designation area as outlined in Phase II of the Padelford Brook Greenway Plan (the Plan). Phase II of the Plan details a zoning map amendment to identify the Mixed Use Overlay area (northern growth node) to include the area along NYS Rt 332 between Canandaigua Farmington Townline Road and Purdy Road. The Plan is available for review on the Town's website. Hard copies of the Plan are available from the Town Clerk.

- A Public Hearing will be held for the purpose of hearing comments on the proposed Cheshire Volunteer Fire Department Fire Protection Agreement. The existing fire services agreement expires 12.31.15. The proposed plan covers the period of January 1, 2016 – December 31, 2018. (Attachment 1)

7. Priority Business

- Canandaigua Lake (Blue-Green Algae), Brief Update based upon the reports of the Canandaigua Lake Watershed Association (CLWA) and the Canandaigua Lake Watershed Council (CLWC); Status Report on the progress of the CLWA/CLWC Working Committee, D. Finch, Director of Development
- 2016 Budget Distribution, J. Chrisman, Town Clerk
- Meeting Schedule Update – J. Chrisman, Town Clerk

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 July 2015
 - a. Revenue & Expense Report
 - b. EFPR Solutions Executive Summary
 - c. Bank Reconciliation Report
 - d. Overtime Report All Departments
 - e. Overtime Report –Highway & Water
 - 2. 2016 Payroll Worksheet – to be distributed at Town Board meeting

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, 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.

RESOLUTION 2015- 186: REQUEST FOR QUOTE FOR LIEBERT SYSTEM FOR VAULT

WHEREAS, the existing ventilation system in the Town Clerk's vault was originally installed in 1997 and is now 18 years old; and

WHEREAS, it is vital to have an energy efficient ventilation system to maintain the Town's records in excellent condition; and

WHEREAS, the Records Management Officer has received recommendations from two separate HVAC vendors stating the system should be replaced; and

WHEREAS, the Town Board agrees with the Records Management Officer that the ventilation system should be replaced and understands the need to have a ventilation system in good working order to prevent Town records from deteriorating; and

WHEREAS, the Town Board previously approved Town Budget, Line A.1410.200 which includes \$10,700.00 for the purchase and installation of a new Liebert ventilation system; and

NOW THEREFORE BE IT RESOLVED, the Town Board hereby approves of the Town Clerk / Records Management Officer soliciting bids in accordance with the Town's adopted Procurement Policy and GML §103 for a new Liebert ventilation system.

New Resolutions:

RESOLUTION # 2015 – 202: THANKING JANE HOLLEN FOR HER SERVICE AS A MEMBER OF THE TOWN OF CANANDAIGUA PLANNING BOARD

WHEREAS, the Canandaigua Town Board would like to thank Town of Canandaigua Planning Board member Jane Hollen for her service to the Town of Canandaigua; and

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

WHEREAS, Jane dedicated her time and talents as she reviewed dozens of projects throughout the Town of Canandaigua during her time on the Town of Canandaigua Planning Board from September 22, 2014 through September 9, 2015; and

WHEREAS, during Jane's tenure the Town of Canandaigua Planning Board advanced a number of long term planning solutions including a town code update incorporating lot coverage, the Padleford Brook Greenway, a change in the Mixed Use Overlay district to help preserve agriculture, discussion pertaining to septic inspections, and many other topics; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby accepts the resignation of Jane Hollen; and

BE IT FURTHER RESOVLED, the Town Board of the Town of Canandaigua would like to thank Jane Hollen for her service to the Town of Canandaigua and hereby wishes her all the best with future endeavors.

RESOLUTION # 2015 –203: APPOINTMENT OF KAREN BLAZEY TO THE TOWN OF CANANDAIGUA PLANNING BOARD

WHEREAS, the Town of Canandaigua Town Board would like to fill a vacant position on the Town of Canandaigua Planning Board; and

WHEREAS, the Town Board of the Town of Canandaigua held an open process advertising for interested individuals who might be willing to serve on the Town of Canandaigua Planning Board to make application; and

WHEREAS, the Town Board of the Town of Canandaigua held interviews with interested individuals on June 15, 2015; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby appoints Karen Blazey to the vacant position (term expiration 12/31/2018) of Town of Canandaigua Planning Board.

RESOLUTION # 2015 – 204: SEQR DETERMINATION OF NON-SIGNIFICANCE FOR A LOCAL LAW AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF CANANDAIGUA

WHEREAS, the Town Board of the Town of Canandaigua is considering a local law to amend the official zoning map of the Town of Canandaigua including Phase II of the Padelford Brook Greenway Plan; and

WHEREAS, the Town Board of the Town of Canandaigua has identified a need for an updated official zoning map; and

WHEREAS, the Town of Canandaigua Planning Board has proposed the Padelford Brook Greenway Plan in April 2015, revised in May 2015, and further revised in July 2015 to consider long term planning for the northern portions of the Town of Canandaigua where increased development pressure exists; 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 on May 28, 2015 has 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 of the Town of Canandaigua 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 of the Town of Canandaigua has given consideration to the criteria for determining significance as set forth in § 617.7(c)(1) of the SEQR Regulations and the information contained in the Short Environmental Assessment Form Part 1; and

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

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby designates itself as lead agency for the Local Law to amend the official zoning map; 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; 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. (Attachment 3)

RESOLUTION # 2015 – 205: RESOLUTION ADOPTING LOCAL LAW 5 TO INITIATE PHASE 2 OF THE PADELDFORD BROOK GREENWAY, ADDING MIXED USE OVERLAYS TO THE OFFICIAL ZONING MAP

WHEREAS, the Town of Canandaigua Town Board would like to move forward with phase 2 of the Padelford Brook Greenway; and

WHEREAS, there is a need to update the official zoning map of the Town of Canandaigua; and

WHEREAS, phase 2 of the Padelford Brook Greenway includes updating the official zoning map with the Mixed Use Overlay 2 area between Canandaigua Farmington Town Line Road and Purdy Road (removing Purdy Road south to County Road 8); and

WHEREAS, the following local law would be adopted by approval of this resolution; and

*Town of Canandaigua
Local Law 5 of 2015
Amendment to the Official Zoning Map*

§1: Statement of Findings and Purpose. The purpose of this Local Law is to initiate Phase 2 of the Padelford 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 Townline 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 the 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 of 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.*

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approves this resolution and adoption of Local Law 5 of 2015 amending the official zoning map of the Town of Canandaigua; and

BE IT FURTHER RESOLVED, directs the Town Clerk to update the official zoning map and authorize her signature on the official zoning map of the Town of Canandaigua.

RESOLUTION # 2015 – 206: AUTHORIZATION TO PURCHASE SMARTBOARD 55” INTERACTIVE DISPLAY FOR DEVELOPMENT OFFICE CONFERENCE ROOM

WHEREAS, in late 2014 the Town Board of the Town of Canandaigua authorized the purchase of a Smartboard Interactive Display for the purposes of sharing information with the public during meetings of the Town Board, Planning Board, Zoning Board of Appeals, Environmental Conservation Board, Citizens Implementation Committee and others; and

WHEREAS, since the existing unit has been in use it has been a valuable tool in sharing information with the public, residents, staff, and officials; and

WHEREAS, often meetings are being held with the existing unit being utilized at times when residents or officials come into the town hall to ask questions about parcels in the Town of Canandaigua; and

WHEREAS, a benefit is anticipated in being able to accurately share information with the public through the addition of a smaller Smartboard 55” Interactive Display to be mounted on the wall in the Development Office Conference Room; and

WHEREAS, quotes have been received for the purposes of comparing price; and

WHEREAS, the same company utilized to purchase the existing Smartboard has been found to offer the most compatible piece of equipment at the lowest price; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby

authorizes the purchase of a Smartboard Viewsonic 55" Interactive Display through MCPc at a cost of \$ 2,697.92; and

BE IT FURTHER RESOVLED, the Town Board of the Town of Canandaigua authorizes the expenditure for the above unit and amount to be paid from Account # A.8010.200. (Attachment 4)

RESOLUTION # 2015 – 207: SEQR DETERMINATION OF NON-SIGNIFICANCE FOR A NYS DEPARTMENT OF AGRICUTLURE AND MARKETS FARMLAND PROTECTION PLANNING GRANT

WHEREAS, the Town Board of the Town of Canandaigua is considering acceptance of a NYS Department of Agriculture and Markets Farmland Protection Planning Grant (Contract # T800831) for the purposes of the creation of a Town of Canandaigua Agriculture Enhancement Plan; and

WHEREAS, the Town Board of the Town of Canandaigua determines said proposed grant acceptance is 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 is administering the grant application, paperwork, and review of any and all documents relative to both the grant and the development of a Town of Canandaigua Agriculture Enhancement Plan; and

WHEREAS, the Town of Canandaigua Development Office is in the process and intending to coordinate the actual planning document with the NYS Department of Agriculture and Markets, the Citizens Implementation Committee, the Ag Team workgroup project team, the Ontario County Agriculture Review Board, the Ontario County Planning Board, the Town of Canandaigua Planning Board, the Town of Canandaigua Historian, the Town of Farmington, the Town of East Bloomfield, the Town of Hopewell, the Town of Manchester, the City of Canandaigua, and the Town of Canandaigua Environmental Conservation Board; and

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

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

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby designates itself as lead agency for the Local Law to amend the official zoning map; 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 for the purposes of acceptance of this grant; 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; 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. (Attachment 5)

RESOLUTION # 2015 – 208: SETTING A PUBLIC HEARING ON A TEXT CODE AMENDMENT TO TOWN CODE CHAPTER 220-37, MOTOR VEHICLE SERVICE STATIONS AND MOTOR VEHICLE REPAIR STATIONS AND DECLARING LEAD AGENCY STATUS FOR THE PURPOSES OF SEQR

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, § 220-37 to strike section M; and

WHEREAS, the proposed amendment would eliminate from the Town Code § 220-37 (M):

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, this proposed text code amendment would allow the Town of Canandaigua Planning Board to approve special use permit(s) for motor vehicle service stations and motor vehicle repair stations (gas station) in the Community Commercial District when the proposed project location is within 1,000 feet of another lot on which an existing motor vehicle service station (gas station) exists; 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 October 20, 2015 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 October 20, 2015 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 § 220-37, and the Short Environmental Assessment Form part 1 project information to the following agencies: the Town of Canandaigua Planning Board, the Town of Canandaigua

Environmental Conservation Board, the Town of Canandaigua Zoning Board of Appeals, the Ontario County Planning Board, the Town Clerk of the Town of Farmington, the Town Clerk of the Town of Hopewell, the Town Clerk of the Town of East Bloomfield, the Town Clerk of the Town of Gorham, the Town Clerk of the Town of South Bristol, and the City Clerk of the City of Canandaigua; and

BE IT FINALLY RESOLVED, the Town Board direct the Town Clerk, and the Director of Development to provide notice of a public hearing scheduled for October 20, 2015 at 6:00pm on the proposed text code amendment in the newspaper of record. (Attachment 6)

RESOLUTION # 2015 – 209: SOIL EROSION CONTROL SURETY 4811 COUNTY ROAD 16 (TAX MAP # 140.14-1-23.000)

WHEREAS, the Town of Canandaigua Planning Board has granted final one stage site plan approval for the construction of two 6' tall retaining wall(s) that are approximately 60 feet in length to secure the failing slope behind the existing single family dwelling located at 4811 County Road 16 in the Residential Lake District; 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 Associates) has provided a landscaping and soil erosion control estimate in the amount of \$ 2,460 (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; 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 form of cash/check in the amount of \$ 2,460.

RESOLUTION # 2015 – 210: SETTING A PUBLIC HEARING ON A TEXT CODE AMENDMENT(S) TO TOWN CODE ADDING CHAPTER 170 (STORMWATER MANAGEMENT) AND CHAPTER 172 (STORMWATER POLLUTION) and DECLARATION OF INTENT TO ACT AS LEAD AGENCY

WHEREAS, the Town of Canandaigua Town Board would like to hear from residents and stakeholders regarding a proposed local law to amend the Town Code of the Town of Canandaigua, adding Chapter(s) § 170 (Stormwater Management), and § 172 (Stormwater Pollution) relating to compliance with a mandate from the New York State Department of Environmental Conservation for the Town of Canandaigua to become an Municipal Separate Storm Sewer System (MS4) municipality; 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 local law for a 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 October 20, 2015 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 October 20, 2015 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 adding Chapters § 170 and § 172, and the Short Environmental Assessment Form part 1 project information to the following agencies: the Town of Canandaigua Planning Board, the Town of Canandaigua Environmental Conservation Board, the Town of Canandaigua Zoning Board of Appeals, the Ontario County Planning Board, the Town Clerk of the Town of Farmington, the Town Clerk of the Town of Hopewell, the Town Clerk of the Town of East Bloomfield, the Town Clerk of the Town of Gorham, the Town Clerk of the Town of South Bristol, and the City Clerk of the City of Canandaigua; and

BE IT FINALLY RESOLVED, the Town Board direct the Town Clerk, and the Director of Development to provide notice of a public hearing scheduled for October 20, 2015 at 6:00pm on the proposed text code amendment in the newspaper of record. (Attachment 8)

Resolution 2015-211: PROPOSED DOG LICENSE LATE FEE

WHEREAS, each year the Town Clerk's office sends out an average of 1,650 second, third, and final reminder notices to dog owners in the Town of Canandaigua that their dog's license must be renewed; and

WHEREAS, the current dog license fee for a spayed/neutered dog is \$14.00 and an unsprayed/unneutered dog is \$22; and

WHEREAS, the annual cost to the Town to send out the dog license reminders is approximately \$900 for materials and postage plus labor costs; and

WHEREAS, the Town Clerk's office is recommending replacing the three reminder letters with a postcard and imposing a \$5.00 late fee for those dog licenses not renewed within 30 days; and

NOW, THEREFORE, BE IT RESOLVED, effective January 1, 2016, the Town Board accepts the Town Clerk's recommendation to implement the reminder postcards and, enacts a \$5.00 penalty on all dog licenses that are not paid within the first 30-day renewal period.

Resolution 2015-212: ACCEPTANCE OF THE 2014 BONADIO FINANCIAL AUDIT REPORT

WHEREAS, the Town Board has contracted with the Bonadio Group to audit the Town 2014 financial practices and statements; and

WHEREAS, at the August 17, 2015 Town Board meeting representatives of the Bonadio Group presented the audit findings and copies of the draft reports to the board and the public; and

WHEREAS, the Town Board has reviewed these reports; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby accepts the findings identified in the report titled Communication of Matters Related to Internal Control Over Financial

Reporting, September 8, 2015 (Attachment 9) and the Financial Statements as of and for the Year Ended December 31, 2014 Together with Independent Auditor's Report (copies available from the Town Clerk).

RESOLUTION NO. 2015- 213: BUDGET TRANSFER REQUEST CELEBRATIONS TO PARK AND RECREATION FEES

WHEREAS, the Budget Officer is requesting the following interfund budget transfer:

| Account # | Description | To | From |
|-----------|--------------------------|---------|---------|
| CM.2001 | Park and Receptions Fees | 183,000 | |
| CM.2705 | Gifts and Donations | | 183,000 |

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

RESOLUTION NO. 2015-214: BUDGET TRANSFER REQUEST WATER

WHEREAS, expenses in the water services & maintenance fund have exceeded the budgeted amount; and

WHEREAS, the Water Superintendent is requesting additional funding to cover the cost of unanticipated water projects such as software equipment, survey costs, and the purchase of equipment; and

WHEREAS, the following budget transfers are required to cover the project costs:

| Account # | Description | To | From |
|------------|--------------------------|-----------|-----------|
| | WATER | | |
| F.8310.131 | Motor Equipment Operator | | 24,000.00 |
| F.8310.200 | Equipment | | 25,000.00 |
| F.8310.450 | Engineering | | 28,000.00 |
| F.8340.440 | Services & Maintenance | 77,000.00 | |

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

RESOLUTION NO. 2015-215: PURCHASE AND INSTALLATION OF DOOR OPENING DEVICES

WHEREAS, three Request for Proposals (RFP's) were received for the materials and labor to install two door opening devices for handicap accessibility in the upper and lower doors of town hall; and

WHEREAS, the lowest bidder was Alliance Door with a bid of \$ 9,860.00 (Attachment 10); and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby approves of the Town Supervisor executing the contract for the purchase and installation of the 2 door opening devices.

RESOLUTION NO. 2015-216: NOTIFICATION OF ELECTRONICS RECYCLING FEES

WHEREAS, the current electronic recycling company Rochester Computer Recycling and Recovery (RCR&R) has notified the Town Highway Superintendent that they will no longer accept CRT's, large wooden TV's and large projection TV's for no charge; and

WHEREAS, the Highway Superintendent has sought out other vendors to provide the service for a reduced or no cost with no success; and

WHEREAS, the Highway Superintendent is proposing the Town Board implement a fee to cover the recycling costs implemented by RCR&R and that this cost be rounded to facilitate the limitations of the existing waste and recycling ticket machine; and

WHEREAS, the proposed fees are as follows:

| ITEM | RCR&R Fee | Town of Canandiagua Proposed Fee |
|---|--------------|----------------------------------|
| 19 inch CRT Monitors and smaller | \$8.75 each | \$10.00 each |
| 19" to 27" CRT Monitors | \$11.75 each | \$12.00 each |
| 27" CRT Monitors and over | \$30.50 each | \$32.00 each |
| Any Wood Console/Projection and other oversized units | \$36.00 each | \$36.00 each |

WHEREAS, Town Supervisor recommends implementation of the proposed fees October 18, 2015 to allow for proper notification of Town and City users; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby approves of the Town of Canandaigua proposed fees and schedule; and

BE IT FURTHER RESOLVED, the Town Board hereby directs the Town Supervisor, the Town Clerk and the Highway Superintendent to notify town and city users by issuing a press release, posting the information on mailchimp and the Town's website, and by posting the information at the Transfer Station. These notifications must be made by Friday, September 25, 2015.

RESOLUTION NO. 2015-217: ACQUISITION OF .57 ACRES OF LAND FOR ROAD RE-ALIGNMENT

WHEREAS, the Town Board has successfully negotiated to acquire approximately .57 acre of real estate contiguous to Deuel Road for purposes of constructing certain road re-alignment improvements, and

WHEREAS, the terms and conditions of the acquisition have been memorialized in a written Purchase and Sale Contract, ("Contract"), Attachment 11, and

WHEREAS, the Contract is expressly contingent upon ratification by the Town Board,

NOW, THEREFORE, BE IT RESOLVED that:

1. The Purchase and Sale Contract with Glenn Warner and W. Randolph Warner is hereby ratified; and
2. The Supervisor and/or Highway Superintendent are hereby authorized to undertake such action as is necessary and incidental to facilitate and consummate the transaction contemplated in the Purchase and Sale Contract.

RESOLUTION NO. 2015-218: HOUSING FOR VETERANS PAYMENT IN LIEU OF TAXES

WHEREAS, 5251 Parkside Housing Development Fund Company, Inc., a New York Not-for-Profit Corporation formed pursuant to Article XI of the Private Housing Finance Law, ("HDFC"), is developing a low income housing project to be located at 5251 Parkside Drive, Canandaigua, NY 14424, Ontario County Tax Map#70.11-1-29.000, and consisting of 48 units of Housing to be named "Housing for Veterans of Canandaigua", ("Project"), and

WHEREAS, HDFC has requested an exemption for the Project from real property taxes, other than assessments for local improvement districts, pursuant to Section 577 of the Private Housing Finance Law, and

WHEREAS, HDFC has offered to enter into a Payment in Lieu of Taxes Agreement, ("PILOT"), with the Town of Canandaigua, and

WHEREAS, the County of Ontario and the Canandaigua City School District have participated in the review of the proposed exemption and PILOT agreement, and

WHEREAS, the Town Board deems it proper to grant the Project exemption from real property taxes, other than assessments for local improvement districts, and deems it proper to enter into a PILOT Agreement for the Project,

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Canandaigua hereby grants an exemption from real property taxes for the Project for low income housing to be located at 5251 Parkside Drive, Canandaigua, NY 14424,

Ontario County Tax Map#70.11-1-29.000, and consisting of 48 units of Housing to be named "Housing for Veterans of Canandaigua".

2. The Town of Canandaigua hereby approves the Payment in Lieu of Taxes Agreement with 5251 Parkside Housing Development Fund Company, Inc., a copy of which is attached hereto (Attachment 12).

3. The Supervisor is authorized to execute the PILOT Agreement.

**RESOLUTION NO. 2015-219: CHESHIRE VOLUNTEER FIRE DEPARTMENT 2016-2018
FIRE SERVICES AGREEMENT**

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Canandaigua for a public hearing to be held by the Town Board on September 21, 2015, at 6:00 p.m. at the Town Hall at 5440 Route 5 & 20W., Canandaigua, New York, to hear all interested parties on a proposed a Fire Services Agreement with the Cheshire Volunteer Fire Department to continue fire services in certain areas of the Town, ("Agreement"), Attachment 1, at the expiration of the current Fire Services Agreement, and

WHEREAS, the public hearing was duly noticed, and

WHEREAS, the public hearing was held on September 21, 2015, at 6:00 p.m. at the Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the Agreement, and

WHEREAS, the Town Board of the Town of Canandaigua, after due deliberation, finds it in the best interests of the Town of Canandaigua to approve the Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Canandaigua hereby approves the Agreement, and be it further

RESOLVED, that the Supervisor is authorized to execute the Agreement.

RESOLUTION NO. 2015-220: APPOINTMENT OF MARK MACNEIL TO THE PARKS AND RECREATION COMMITTEE

WHEREAS, the Town of Canandaigua Town Board would like to fill a vacant position on the Town of Canandaigua Parks and Recreation Committee; and

WHEREAS, the Town Board of the Town of Canandaigua held an open process advertising for interested individuals who might be willing to serve on the committee; and

WHEREAS, the Town Director of Parks and Recreation and the Parks and Recreation Committee held interviews on August 19, 2015, with interested individuals and recommends the appointment of Mark MacNeil to fill the unexpired term of Ms. Joan Curry; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby appoints Mark MacNeil to the open position effective September 22, 2015 (term expiration 12.31.2018). and Elizabeth Page to the open youth position effective September 22, 2015 (term expiration 12.31.2019).

RESOLUTION NO. 2015-221: APPOINTMENT OF ELIZABETH PAGE TO THE PARKS AND RECREATION COMMITTEE

WHEREAS, the Town of Canandaigua Town Board would like to fill a vacant position on the Town of Canandaigua Parks and Recreation Committee; and

WHEREAS, the Town Board of the Town of Canandaigua held an open process advertising for interested individuals who might be willing to serve on the committee; and

WHEREAS, the Town Director of Parks and Recreation and the Parks and Recreation Committee held interviews on August 19, 2015, with interested individuals and recommends the appointment of Elizabeth Page to fill the Youth Committee position; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby appoints Elizabeth Page to the open position effective September 22, 2015 (term expiration 12.31.2019).

RESOLUTION NO. 2015-222: ACCEPTANCE OF A CANANDAIGUA ROTARY CLUB DONATION

WHEREAS, the Canandaigua Rotary Club has volunteered to install 2 bocce courts at the Richard P. Outhouse Memorial Park; and

WHEREAS, the courts are proposed to be located between the basketball court and the pavilion and are proposed to cover an area approximately 31 feet by 80 feet; and

WHEREAS, the Rotary will be donating all materials and labor associated with the project; and

WHEREAS, it is the recommendation of the Director of Parks and Recreation that these courts would enhance the park and benefit the greater Canandaigua community; and

NOW THEREFORE BE IT RESOLVED, the Town Board hereby approves of the installation of the bocce courts; and

BE IT FURTHER RESOLVED, The Town Board hereby wishes to thank the Canandaigua Rotary Club for their generous donation to the park and our community.

RESOLUTION NO. 2015-223: REQUEST FOR CONTRACT EXTENSION AND BUDGET TRANSFER

WHEREAS, the late spring and early summer weather conditions facilitated faster grass growth which required additional mowing; and

WHEREAS, the Director of Parks and Recreation is recommending the extension of the current mowing contract to add 5 mowings at the Richard P. Outhouse Memorial Park, Blue Heron Park and Leonard R. Pierce Park; and

WHEREAS, the cost for the 5 mowing will not exceed \$6300; and

WHEREAS, the Director of Parks and Recreation and the Budget Officer are recommending the interfund transfer of \$6300.00 from line A.7110.402 to line A.7110.400.

NOW THEREFORE BE IT RESOLVED, the Town Board hereby approves of the 5 additional mowings for the Richard P. Outhouse Memorial Park, Blue Heron Park and Leonard R. Pierce Park at a cost not to exceed \$6300; and

BE IT FURTHER RESOLVED, the Town Board hereby approves of the transfer of \$6300 from line A.7110.402 to line A.7110.400.

RESOLUTION NO. 2015-224: PURCHASE OF PLAYGROUND EQUIPMENT

WHEREAS, the Director of Parks and Recreation has proposed enhancing the Richard P. Outhouse Memorial Park with additional playground equipment; and

WHEREAS, the proposed equipment includes a T-Rex Head (Attachment 13); and

WHEREAS, the cost of this equipment will be \$7,399.84 and was included in the 2015 approved budget; and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby approves of the purchase of the proposed equipment at a cost not to exceed \$7,400.

RESOLUTION NO. 2015-225: PURCHASE OF TREES

WHEREAS, the Director of Parks and Recreation has proposed replacing 5 trees at Onanda Park and planting 10 trees at Blue Heron Park; and

WHEREAS, the Director of Parks and Recreation following the Town of Canandaigua Procurement Policy requested 3 project bids; and

WHEREAS, Ted Collins Tree & Landscape submitted the lowest cost proposal of \$9577.00 for the purchase, installation and a limited gurantee (Attachment 14); and

WHEREAS, the Town Board has budgeted in line A.7110.402 \$35,000 for trees and landscaping materials; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua does hereby approve of the purchase of the trees at a cost not to exceed \$10,000; and

BE IT FURTHER RESOLVED, the Town Board directs the Town Supervisor to execute the general contract.

RESOLUTION # 2015 – 226: ACCEPTANCE AND AUTHORIZATION OF A FARMLAND PROTECTION PLANNING GRANT FROM THE NYS DEPARTMENT OF AGRICULTURE AND MARKETS

WHEREAS, the Town of Canandaigua Town Board would like to accept a Farmland Protection Planning Grant (Contract # T800831) for the purposes of a Town of Canandaigua Agriculture Enhancement (Protection and Promotion) Plan as described in the Town of Canandaigua Comprehensive Plan Goal # 1; and

WHEREAS, the Town of Canandaigua has been awarded a \$ 25,000 New York State Department of Agriculture and Markets Planning Grant, based on application submitted by the Director of Development for the purposes of the creation of a Town of Canandaigua Agriculture Enhancement Plan; and

WHEREAS, the New York State Department of Agriculture and Markets has awarded the application for a reimbursable grant in the amount of \$ 25,000; and

WHEREAS, the Town Board of the Town of Canandaigua previously approved *Resolution # 2014-193: Agriculture Protection Plan Grant Application to the NYS Department of Agriculture and Markets Contribution Match Requirement*; and

WHEREAS, the Town Board of the Town of Canandaigua previously authorized expending of a \$ 5,000 matching contribution; and

WHEREAS, an amount of up to \$ 32,500 has been placed in the tentative 2016 budget (A.8020.420) to cover expenditures relating to the Town of Canandaigua Agriculture Enhancement Plan with a reimbursement planned of \$ 25,000 (\$25,000 in revenue also placed in the 2016 tentative budget) from the New York State Department of Agriculture and Markets; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby authorizes the Town Supervisor and the Director of Development to execute any and all documents relative to the NYS Department of Agriculture and Markets Farmland Protection Planning Grant, Contract # T800831.

12. Approval of the following Minutes:

Town Board Meeting Minutes: August 17, 2015

13. Approval of Charge Back Billing – N/A

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