

**Canandaigua Town Board  
Meeting Agenda  
November 19, 2018  
6:00pm**

- Call To Order and Pledge of Allegiance
    - Pledge Led by Gary Davis, Town Councilman
  - Roll Call
    - Town Clerk Confirmation meeting was properly advertised
  - Circulation of Written Communications and Correspondence
    - Email, Resident, Applause to Deputy Town Clerk Lisa Record, November 7, 2018
    - Newsletter, Office for the Aging, Winter 2018
    - Newsletter, The Land Steward, Vol. 30 No. 4, Autumn 2018
  - Privilege of the Floor
  - Presentations
    - *Eagle Scout Project, Wolverton Cemetery by Josiah Dutcher – Dennis Brewer ~ 5 minutes*
  - Public Hearings
    - Continued Public Hearings:*
      - *None*
    - New Public Hearings:*
      - Public Hearing on a Text Code Amendment to Town Code Chapter 220-9 Relating to Size Limits for Swimming Pools; and SEQR Intent to Declare Lead Agency
- NOTE: This public hearing pertains to Resolution No. 2018-332*
- Priority Business
    - Discussion (if any) regarding the vacant Town Supervisor position
    - Action (if any) regarding the vacant Town Supervisor position
  - Reports of Town Officials and Department Heads – Attachment #1
    - A. Director of Parks & Recreation
    - B. Highway / Water Superintendent
    - C. Assessor
    - D. Historian
    - E. Town Clerk
    - F. Planner
    - G. Town Manager
    - H. Supervisor / Deputy Supervisor
      - 1. Monthly Financial Reports for October 2018
        - a. Revenue & Expense Report and Cash Summary Report
        - b. EFPR Solutions Executive Summary
        - c. Overtime Report – All Departments
        - d. Overtime Report – Highway & Water
  - Reports of Committees, Boards and Commissions
    - A. Town Board Committees (as needed)

- a. Finance – Councilwoman Dworaczyk
- b. Planning – Councilman Fennelly
- c. Environmental – Councilman Reynolds – Attachment #2
- d. Ordinance – Councilman Davis
- e. Economic Development – Co-Chairwoman Fuller – Attachment #34
- B. Planning Board, Chairman Schwartz
- C. Zoning Board of Appeals, Chairman Robinson
- D. Environmental Conservation Board, Chairwoman Marthaller – Attachment #3
- E. Citizens’ Implementation Committee, Chairwoman Reynolds
- F. Parks & Recreation Committee, Chairman MacNeil
- G. Special Events Committee, Chairwoman Fuller – Attachment #35
- H. Complete Streets Committee, Chairman Davis
- I. Agriculture Committee, Chairman Stryker
- J. Drainage Committee, Chairman Oyler – Attachment #4

➤ Privilege of the Floor

➤ Resolutions

*Continued Resolutions:*

*New Resolutions:*

## **FINANCE**

- Resolution No. 2018 – 307: Acceptance of the Monthly Financial Reports
- Resolution No. 2018 – 308: Budget Transfer for New York State Retirement Payment
- Resolution No. 2018 – 309: Budget Transfer to Increase Parks Contractual
- Resolution No. 2018 – 310: Acknowledgement and Authorization of Budget Transfers by Town Manager
- Resolution No. 2018 – 311: Amendment to Town of Canandaigua Town Board’s Fund Balance Policy
- Resolution No. 2018 – 312: Amendment to Town of Canandaigua Town Board’s Budget Development Policy
- Resolution No. 2018 – 313: Amendment to Town of Canandaigua Town Board’s Investment Policy
- Resolution No. 2018 – 314: Amendment to Town of Canandaigua Town Board’s Procurement Policy
- Resolution No. 2018 – 315: Amendment to Town of Canandaigua Town Board’s Wire Transfer and Online Banking Policy
- Resolution No. 2018 – 316: Establishment of a Capital Reserve Fund for Water and/or Sewer Infrastructure Improvements or Repairs Within the Town of Canandaigua
- Resolution No. 2018 – 317: Establishment of Reserve Fund for Payment of Bonded Indebtedness (GML Section 6-H)
- Resolution No. 2018 – 318: Establishment of a Solid Waste Management Facility Reserve Fund (GML Section 6-O)
- Resolution No. 2018 – 319: Appropriation of Unassigned Fund Balance to Certain Funds and Reserve Funds
- Resolution No. 2018 – 320: Authorizing Canandaigua National Bank & Trust to Act as Agent for the Town of Canandaigua to Accept 2019 Town and County Tax Payments
- Resolution No. 2018 – 321: Authorization for Town Manager to Invest Funds to Generate Higher Return on Interest Rate Earnings
- Resolution No. 2018 – 322: Authorization of Expenditures and 2018 Budget Adjustment to Replace Septic Tank at Onanda Park (Gorham Lodge)

## **PLANNING**

- Resolution No. 2018 – 323: Authorization for Town Manager to Execute Professional Services Contract with MRB for the Canandaigua Consolidated Water Capital Improvement Project 2019, Preliminary/Final Design and Construction Phase
- Resolution No. 2018 – 324: Authorization for Town Manager to Execute Change Order for Highway Facility Project
- Resolution No. 2018 – 325: Accepting Water Utility and Sidewalk Easements Related to Tax Map # 84.00-1-39.100, 84.00-1-38, & 84.00-1-44.400 on County Road 10 and Directing Town Manager to Sign Said Easements and Further Directing Town Attorney to Record Said Easements at the Ontario County Clerk's Office
- Resolution No. 2018 – 326: Authorization of Town Manager to Execute Certificate of Substantial Completion Documents for the Highway Facility
- Resolution No. 2018 – 327: Approval of Maintenance Agreement with Cummins Northeast, LLC for Goodale Road Pump Station Generator
- Resolution No. 2018 – 328: Request to Surplus Highway Equipment
- Resolution No. 2018 – 329: Approval to Purchase Fuel Cloud Fuel Management System
- Resolution No. 2018 – 330: Approve Water Superintendent to Purchase Materials for the Master Meter Water Vaults

## **ENVIRONMENTAL**

- Resolution No. 2018 – 331: Approval to Purchase a New Solid Waste Container

## **ORDINANCE**

- Resolution No. 2018 – 332: SEQR Determination of Non-Significance and Adoption of a Text Code Amendment to Town Code Chapter 220-9W Regarding Changes to Dimensional Requirements for Swimming Pools
- Resolution No. 2018 – 333: Setting a Public Hearing on a Text Code Amendment to Town Code Chapter 220-9 that would Amend the Regulation of Siting and Size Requirements of Accessory Buildings Outside the RLD; and SEQR Intent to Declare Lead Agency

## **ECONOMIC DEVELOPMENT/GENERAL**

- Resolution No. 2018 – 334: Appointment of Administrative Aide Position
- Resolution No. 2018 – 335: Appointment of Water Maintenance Assistant Position
- Resolution No. 2018 – 336: Appointment of a Part-Time Deputy Town Clerk
- Resolution No. 2018 – 337: Establishing the Standard Work Day for Retirement Purposes
- Resolution No. 2018 – 338: Amendment to Town Board's Rules of Procedures
- Resolution No. 2018 – 339: Unpaid Water/Sewer Bills to Tax for Relevy
- Resolution No. 2018 – 340: Authorization for Town Manager to Execute Memorandum of Understanding Relating to Permits and Inspections at the Canandaigua Airport
- Resolution No. 2018 – 341: Roadwork Surety for Lakewood Meadows Section 9B (Tax Map #112.19-1-500.210/St. James Parkway)
- Resolution No. 2018 – 342: Soil Erosion and Sediment Control Surety for 6245 Goff Road (Tax Map #139.00-1-38.000)
- Resolution No. 2018 – 343: Soil Erosion and Sediment Control Surety for 3365 State Route 364 (Tax Map #98.11-2-8.000)
- Resolution No. 2018 – 344: Soil Erosion and Sediment Control Surety for 3614 Middle Cheshire Road (Tax Map #97.04-1-55.100)
- Resolution No. 2018 – 345: Soil Erosion and Sediment Control Surety for 3455 Sandy Cove (Tax Map #98.15-1-18.200)

- Resolution No. 2018 – 346: Soil Erosion and Sediment Control Surety for 5797 Smith Road (Tax Map #139.00-1-8.220)

**RESOLUTION NO. 2018 – 307: ACCEPTANCE OF THE MONTHLY FINANCIAL REPORTS**

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

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

**WHEREAS**, the position of Town Supervisor was vacated on September 7, 2018; and

**WHEREAS**, the Deputy Town Supervisor working with the Town Manager, has provided the Town Board with hard copies and electronic copies of the October 2018 Monthly Revenue/Expense Control Report, Cash Summary Report, EFPR Solutions Executive Summary Report, as well as the Highway/Water Department Overtime Report and All Department Overtime Report; and

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

Attachment #1

**RESOLUTION NO. 2018 – 308: BUDGET TRANSFER FOR NEW YORK STATE RETIREMENT PAYMENT**

**WHEREAS**, costs pertaining to New York State Retirement in the General (A) Fund are more than budgeted for 2018; and

**WHEREAS**, costs pertaining to New York State Retirement for the Highway (D) and Water (S) Funds were less than budgeted for 2018; and

**WHEREAS**, the adopted 2019 Town budget should be in line with proposed costs; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua directs the Town Manager to make the following budget transfer to adjust the 2018 adopted Town budget:

Increase: A.9010.800 (NYS Retirement)	\$ 12,322.00
Decrease: A.1990.400 (Contingency)	\$ 12,322.00

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

Attachment #5

**RESOLUTION NO. 2018 – 309: BUDGET TRANSFER TO INCREASE PARKS CONTRACTUAL**

**WHEREAS**, due to contracting for lawn mowing services, a need exists to increase the Town of Canandaigua Parks Department Contractual budget line; and

**WHEREAS**, the Town Manager had previously directed to contract out for mowing services instead of hiring more staff; and

**WHEREAS**, personnel expenditures are less than previously budgeted due to the reduction in staff and increased contracts; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua directs the Town Manager to make the following budget transfer to adjust the 2018 adopted Town budget:

Increase: A.7110.400 (Parks.Contractual)	\$ 10,000.00
Decrease: A.7110.130 (Park.Laborer)	\$ 10,000.00

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

**RESOLUTION NO. 2018 – 310: ACKNOWLEDGEMENT AND AUTHORIZATION OF BUDGET TRANSFERS BY TOWN MANAGER**

**WHEREAS**, the Town of Canandaigua Town Board (herein after referred to as “Town Board”) has authorized the Town Manager to make interfund transfers in an amount less than \$5,000.00 by Resolution No. 2018-043; and

**WHEREAS**, the Town Manager has made budget transfers to compensate for expenses that exceeded the budgeted amount; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby acknowledges and authorizes these budget transfers; and

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

Attachment #6

**RESOLUTION NO. 2018 – 311: AMENDMENT TO TOWN OF CANANDAIGUA TOWN BOARD’S FUND BALANCE POLICY**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as ‘Town Board’) wishes to make certain changes to the Town of Canandaigua Town Board’s Fund Balance Policy in order to memorialize current operations, and clarify expectations; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua amends the Town of Canandaigua Town Board’s Fund Balance Policy; and

**BE IT FINALLY RESOLVED**, the Town Clerk is directed to provide a copy of the Town of Canandaigua Town Board’s Fund Balance Policy to the Town Manager and file a copy in the Town’s Administrative Manual.

Attachment #7

**RESOLUTION NO. 2018 – 312: AMENDMENT TO TOWN OF CANANDAIGUA TOWN BOARD’S BUDGET DEVELOPMENT POLICY**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as ‘Town

Board') wishes to make certain changes to the Town of Canandaigua Town Board's Budget Development Policy in order to memorialize current operations, and clarify expectations; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua amends the Town of Canandaigua Town Board's Budget Development Policy; and

**BE IT FINALLY RESOLVED**, the Town Clerk is directed to provide a copy of the Town of Canandaigua Town Board's Budget Development Policy to the Town Manager and file a copy in the Town's Administrative Manual.

Attachment #8

**RESOLUTION NO. 2018 – 313: AMENDMENT TO TOWN OF CANANDAIGUA TOWN BOARD'S INVESTMENT POLICY**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') wishes to make certain changes to the Town of Canandaigua Town Board's Investment Policy in order to memorialize current operations, and clarify expectations; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua amends the Town of Canandaigua Town Board's Investment Policy; and

**BE IT FINALLY RESOLVED**, the Town Clerk is directed to provide a copy of the Town of Canandaigua Town Board's Investment Policy to the Town Manager and file a copy in the Town's Administrative Manual.

Attachment #9

**RESOLUTION NO. 2018 – 314: AMENDMENT TO TOWN OF CANANDAIGUA TOWN BOARD'S PROCUREMENT POLICY**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') wishes to make certain changes to the Town of Canandaigua Town Board's Procurement Policy in order to memorialize current operations, and clarify expectations; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua amends the Town of Canandaigua Town Board's Procurement Policy; and

**BE IT FINALLY RESOLVED**, the Town Clerk is directed to provide a copy of the Town of Canandaigua Town Board's Procurement Policy to the Town Manager and file a copy in the Town's Administrative Manual.

Attachment #10

**RESOLUTION NO. 2018 – 315: AMENDMENT TO TOWN OF CANANDAIGUA TOWN BOARD'S WIRE TRANSFER AND ONLINE BANKING POLICY**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') wishes to make certain changes to the Town of Canandaigua Town Board's Wire Transfers and Online Banking Policy in order to memorialize current operations, and clarify expectations; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua amends the Town of Canandaigua Town Board's Wire Transfers and Online Banking Policy; and

**BE IT FINALLY RESOLVED**, the Town Clerk is directed to provide a copy of the Town of Canandaigua Town Board's Wire Transfers and Online Banking Policy to the Town Manager and file a copy in the Town's Administrative Manual.

Attachment #11

**RESOLUTION NO. 2018 – 316: ESTABLISHMENT OF A CAPITAL RESERVE FUND FOR WATER AND/OR SEWER INFRASTRUCTURE IMPROVEMENTS OR REPAIRS WITHIN THE TOWN OF CANANDAIGUA**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') has identified the need to establish a Capital Reserve Fund for the purposes of water and/or sewer infrastructure improvements or repairs; and

**NOW THEREFORE BE IT RESOLVED**, pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Water and/or Sewer Infrastructure Improvements Reserve Fund" (herein after referred to as 'Reserve Fund'); and

**BE IT FURTHER RESOLVED**, the purpose of this Reserve Fund is to accumulate moneys to finance the costs of capital improvements, any physical improvements, construction, reconstruction, preliminary studies, surveys, engineering, land acquisition, or land rights; pertaining and relating to water and/or sewer infrastructure improvements or repairs within the Town of Canandaigua; and

**BE IT FURTHER RESOLVED**, the chief fiscal officer is hereby responsible to secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law and the Town of Canandaigua's Investment Policy; and

**BE IT FURTHER RESOLVED**, the Town Manager is directed to set up the proper bank accounts associated with this reserve fund in compliance with the Town's Investment Policy including any deposits as directed by the Town Board; and

**BE IT FURTHER RESOLVED**, that moneys in the Reserve Fund may be invested pursuant to the Town of Canandaigua's Investment Policy provided that any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall at the end of each fiscal year, render to the Town Board a detailed report of the operation and condition of the Reserve Fund; and

**BE IT FURTHER RESOLVED**, except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established, and no expenditure shall be made from this Reserve Fund without the approval of the Town Board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required.

**RESOLUTION NO. 2018 – 317: ESTABLISHMENT OF A RESERVE FUND FOR PAYMENT OF BONDED INDEBTEDNESS (GML SECTION 6-H)**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as ‘Town Board’) has identified the need to establish a Reserve Fund for purposes of payment of bonded indebtedness in accordance with NYS General Municipal Law, Section 6-h; and

**NOW THEREORE BE IT RESOLVED**, pursuant to §6-h of the General Municipal Law, there is hereby established a reserve fund to be known as the “Reserve Fund for Payment of Bonded Indebtedness” (hereinafter “Reserve Fund”); and

**BE IT FURTHER RESOLVED**, the purpose of this Reserve Fund is to accumulate moneys to pay debt service payments (either principal and/or interest) of the Town of Canandaigua, or purchase one or more issues of certain bonds, or pay costs associated with the issuance of bonds, or pay costs associated with obtaining credit ratings in preparation for the issuance of bonds; and

**BE IT FURTHER RESOLVED**, no referendum is required to establish or expend moneys from the Reserve Fund; and

**BE IT FURTHER RESOLVED**, the Town Board may choose to authorize the transfer of all or a portion of the Reserve Fund to a Capital Reserve Fund subject to permissive referendum; and

**BE IT FURTHER RESOLVED**, the chief fiscal officer is hereby responsible to secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law and the Town of Canandaigua’s Investment Policy; and

**BE IT FURTHER RESOLVED**, the Town Manager is directed to set up the proper bank accounts associated with this reserve fund in compliance with the Town’s Investment Policy including any deposits as directed by the Town Board; and

**BE IT FURTHER RESOLVED**, that moneys in the Reserve Fund may be invested pursuant to the Town of Canandaigua’s Investment Policy and §11 of the General Municipal Law, provided that any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall at the end of each fiscal year, render to the Town Board a detailed report of the operation and condition of the Reserve Fund; and

**BE IT FURTHER RESOLVED**, except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established, and no expenditure shall be made from this Reserve Fund without the approval of the Town Board and such additional actions or proceedings as may be required by Section 6-h of the General Municipal Law or any other law.

Attachment #12

**RESOLUTION NO. 2018 – 318: ESTABLISHMENT OF A SOLID WASTE MANAGEMENT FACILITY RESERVE FUND (GML SECTION 6-O)**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as ‘Town Board’) has identified the need to establish a Reserve Fund for purposes of accumulating



moneys relating to the construction, reconstruction, administration, or operation of any Town of Canandaigua Solid Waste Management Facility including but not limited to “Transfer Station(s)”; and

**NOW THEREORE BE IT RESOLVED**, that pursuant to §6-O of the General Municipal Law, there is hereby established a Reserve Fund to be known as the “Solid Waste Management Facility Reserve Fund” (hereinafter “Reserve Fund”); and

**BE IT FURTHER RESOLVED**, the purpose of this Reserve Fund is to accumulate moneys to pay for the design, engineering, construction, reconstruction, land acquisition, administration or operation of solid waste management facilities owned or operated by the Town of Canandaigua, and for closure, or post-closure care, including operation and maintenance expenses of solid waste management facilities owned or operated by or on behalf of the Town of Canandaigua or for which the Town of Canandaigua is responsible or provides assistance in accordance with the stated purpose; and

**BE IT FURTHER RESOLVED**, no referendum is required to establish or expend moneys from the Reserve Fund; and

**BE IT FURTHER RESOLVED**, the Town Board may choose to authorize the transfer of all or a portion of the Reserve Fund to a Capital Reserve Fund by resolution, if the unexpended balance remaining in the Reserve Fund established for the stated purpose has been completed, after deducting from such unexpended balance a sum sufficient to satisfy all outstanding claims arising from the construction, reconstruction, or acquisition of such capital improvement, if any; and

**BE IT FURTHER RESOLVED**, the Town Board may appropriate from time to time unexpended funds to the Reserve Fund, including but not limited to a percentage of fees received by the Town from the operation of the solid waste management facility; and

**BE IT FURTHER RESOLVED**, the chief fiscal officer is hereby responsible to secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law and the Town of Canandaigua’s Investment Policy; and

**BE IT FURTHER RESOLVED**, the Town Manager is directed to set up the proper bank accounts associated with this reserve fund in compliance with the Town’s Investment Policy including any deposits as directed by the Town Board; and

**BE IT FURTHER RESOLVED**, that moneys in the Reserve Fund may be invested pursuant to the Town of Canandaigua’s Investment Policy and §11 of the General Municipal Law, provided that any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall at the end of each fiscal year, render to the Town Board a detailed report of the operation and condition of the Reserve Fund; and

**BE IT FURTHER RESOLVED**, except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established, and no expenditure shall be made from this Reserve Fund without the approval of the Town Board and such additional actions or proceedings as may be required by Section 6-o of the General Municipal Law or any other law.

**RESOLUTION NO. 2018 – 319: APPROPRIATION OF UNASSIGNED FUND BALANCE TO CERTAIN FUNDS AND RESERVE FUNDS**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as ‘Town Board’) has adopted a Fund Balance Policy pertaining to Unrestricted (Unassigned) Fund Balance levels in the General Fund, Highway Fund, and all special districts; and

**WHEREAS**, the Town Manager has informed the Town Board the likely end of year (December 31, 2018) unassigned fund balance will exceed the policy limitations by approximately \$700,000.00 in the Town’s General Fund; and

**WHEREAS**, in order to be in compliance with the Town’s Fund Balance Policy and in preparation of the End of Year Closing Policy and Procedures the Town Board wishes to consider appropriations of unassigned fund balance; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby directs the Town Manager’s Office to make the following appropriations of General Fund Unassigned Fund Balance to the following:

Debit			
A.0917..	General Fund Unassigned	\$ 700,000.00	
Credit			
A.0234..	Open Space Fund Reserve	\$ 150,000.00	
New Reserve Fund	Solid Waste Mgmt Reserve	\$ 100,000.00	
New Reserve Fund	Bonded Indebtedness	\$ 150,000.00	
New Reserve Fund	Water/Sewer/Infrastructure	<u>\$ 300,000.00</u>	
		\$ 700,000.00	

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

Attachment #14 (see also Town Manger’s report)

**RESOLUTION NO. 2018 – 320: AUTHORIZING CANANDAIGUA NATIONAL BANK & TRUST TO ACT AS AGENT FOR THE TOWN OF CANANDAIGUA TO ACCEPT 2019 TOWN AND COUNTY TAX PAYMENTS**

**WHEREAS**, as a convenience to the residents of the Town of Canandaigua, Canandaigua National Bank & Trust has agreed to act as an agent for the Town of Canandaigua and collect Town and County tax payments for the year 2019 during the month of January; and

**WHEREAS**, the Canandaigua National Bank & Trust will accept tax payments (full payment only) starting January 2 through January 31, 2019, and will deposit payments received in to the Canandaigua Tax Receiver checking account on the following business day and provide an itemized listing of payments received to the Receiver of Taxes. There is no charge to the Town for this service. The Receiver of Taxes will be responsible for any check that is returned for any reason; and

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board approves Canandaigua National Bank & Trust acting as an agent for the Town to accept tax payments January 2 through January 31, 2019.

**RESOLUTION NO. 2018 – 321: AUTHORIZATION FOR TOWN MANAGER TO INVEST FUNDS TO GENERATE HIGHER RETURN ON INTEREST RATE EARNINGS**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') is considering the investment of certain reserve funds, and funds not immediately required for investment relative to expenditures; and

**WHEREAS**, the Town Manager has identified the following funds as a combination of reserve fund moneys funds not immediately needed relative to expenditures:

A.0230.. Contingent/Tax Reserve	\$ 535,000.00
A.0234.. Open Space Reserve	\$ 400,250.00
CM.201. Parks Fund	\$ 773,374.00
D.0230.. Highway Equipment	\$ 182,109.00
D.0232.. Highway Improvement	\$ 375,000.00
D.0235.. Highway Snow/Ice Reserve	<u>\$ 200,000.00</u>
	\$ 2,465,483.00

**WHEREAS**, the Town of Canandaigua's Investment Policy provides for the investment of funds into Certificate of Deposits in order to generate a higher return on investment than traditional checking or savings account rates of approximately 0.66%; and

**WHEREAS**, the Town Manager is recommending the investment of \$2,000,000.00 in a Certificate of Deposit as a starting investment opportunity for a term of 60 days; and

**WHEREAS**, the Town Manager has identified an opportunity with Canandaigua National Bank, the Town's Designated Depository, to invest moneys at 1.95% interest for 60 days; and

**WHEREAS**, the Town Manager has been informed by CNB that interest rates are likely to change in December resulting in a possible rate adjustment in January 2019 (approximately 60 days); and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby authorizes the Town Manager to invest \$2,000,000.00 in a certificate of deposit in accordance with the Town of Canandaigua Investment Policy.

**RESOLUTION NO. 2018 – 322: AUTHORIZATION OF EXPENDITURES AND 2018 BUDGET ADJUSTMENT TO REPLACE SEPTIC TANK AT ONANDA PARK (GORHAM LODGE)**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') has been notified that the septic tank that services Gorham Lodge is in need of replacement; and

**WHEREAS**, in late 2017 a separate septic tank that provides services to the bathhouse was replaced at Onanda Park; and

**WHEREAS**, recent problems associated with the system determined to have been installed in 1956 have required immediate corrective measures including the replacement of a cast iron sanitary sewer line with a more modern pvc sanitary sewer line, and the replacement of the line has been authorized by the Town Manager and has now been completed; and

**WHEREAS**, during analysis of the situation it was determined that the current 1,725 gallon tank is in need of immediate replacement; and

**WHEREAS**, the Highway Superintendent has received quotes pertaining to the replacement of the tank with a new concrete tank; and

**WHEREAS**, the Highway Superintendent and Code Enforcement have determined a new concrete tank could be installed to replace the existing tank provided it is set at the proper elevations to be determined by Code Enforcement; and

**WHEREAS**, Code Enforcement has determined that if any additional work is required other than just the replacement of the septic tank, then additional engineering work will need to be completed including the likely installation of grease traps, possible distribution box and leach lines along with an alarm system; and

**WHEREAS**, the Town Manager, Highway Superintendent, Code Enforcement Officer, and Parks and Recreation Director are all recommending the immediate replacement of the tank only, as a starting point to see if that solves the problem identified of ground rain water leaking into the tank; and

**WHEREAS**, the replacement of the septic tank was a non-planned and non-budgeted 2018 expense; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby authorizes the replacement of the septic tank at Onanda Park in an amount not to exceed \$2,500 to be paid from General Ledger Acct # A.7110.200; and

**BE IT FURTHER RESOLVED**, the Town Board understands this was a non-budgeted 2018 expenditure and authorizes the Town Manager to transfer \$3,500.00 for the cost of the pipe and replacement from A.1990.400 (Contingency) to A.7110.200 (Park Capital) to provide fiscal resources for the cost of the line replacement and the tank to be replaced; and

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

Attachment #15

**RESOLUTION NO. 2018 – 323: AUTHORIZATION FOR TOWN MANAGER TO EXECUTE PROFESSIONAL SERVICES CONTRACT WITH MRB FOR THE CANANDAIGUA CONSOLIDATED WATER CAPITAL IMPROVEMENT PROJECT 2019, PRELIMINARY/FINAL DESIGN AND CONSTRUCTION PHASE**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') has been made aware of the need to complete a major water infrastructure project including the construction of new water towers, and new water lines as mandated by the New York State Department of Health; and

**WHEREAS**, the Town Board has previously discussed the proposed project and intends to begin the planning and engineering process as documented in the 2019 Town of Canandaigua budget; and

**WHEREAS**, the Town's engineering firm (MRB Group) has provided estimates as follows:

Basic Engineering Services (Section A)	\$ 40,000.00
Design (Section B)	\$ 415,000.00
Geotechnical (Section C)	\$ 25,000.00

Bidding (Section D)	\$ 35,000.00
Construction Administration (Section E)	\$ 185,000.00
Construction Observation (Section F)	<u>\$ 148,000.00</u>
Sub-Total Compensation	\$ 848,000.00
Additional Anticipated Services	
Additional Services	\$ 25,000.00
Total Compensation Project	\$ 873,000.00

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby authorizes the Town Manager to execute the proposal from MRB Group for professional services associated with the Canandaigua Consolidated Water District Capital Improvement Project 2019 for an amount not to exceed \$873,000.00.

Attachment #16

**RESOLUTION NO. 2018 – 324: AUTHORIZATION FOR TOWN MANAGER TO EXECUTE CHANGE ORDERS FOR HIGHWAY FACILITY PROJECT**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as ‘Town Board’) has previously required all change orders for the Highway Facility Project be approved by the Town Board; and

**WHEREAS**, the Highway Superintendent has informed the Town Board the fire alarm release is no longer needed as part of the overall project; and

**WHEREAS**, Buildings Innovation Group is providing the Town with an allowance credit; and

**WHEREAS**, the Town’s Engineering firm has submitted a change order (EC-04) to document this amendment resulting in a decrease of \$1,147.00 to the Electrical contract; and

**WHEREAS**, the Town’s Engineering firm has submitted a change order (GC-03) to document this amendment resulting in a decrease of \$9,958.00 to the General Construction contract; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby authorizes the Town Manager to execute change order EC-04 and GC-03.

Attachment #17

**RESOLUTION NO. 2018 – 325: ACCEPTING WATER UTILITY AND SIDEWALK EASEMENTS RELATED TO TAX MAP # 84.00-1-39.100, 84.00-1-38, & 84.00-1-44.400 ON COUNTY ROAD 10 AND DIRECTING TOWN MANAGER TO SIGN SAID EASEMENTS AND FURTHER DIRECTING TOWN ATTORNEY TO RECORD SAID EASEMENTS AT THE ONTARIO COUNTY CLERK’S OFFICE**

**WHEREAS**, the Town of Canandaigua Planning Board has required the owners of the above-referenced parcels to dedicate water utility and sidewalk easements to the Town of Canandaigua; and

**WHEREAS**, the property owners of the above-referenced parcels have executed water utility and sidewalk easements to the Town of Canandaigua; and

**WHEREAS**, the Town of Canandaigua Highway Superintendent has recommended that the Town Board accept these water utility and sidewalk easements; and

**WHEREAS**, the Town Manager of the Town of Canandaigua has recommended that the Town Board accept these water utility and sidewalk easements; and

**WHEREAS**, the Town Engineer of the Town of Canandaigua has recommended that the Town Board accept these water utility and sidewalk easements; and

**WHEREAS**, the Town Attorney of the Town of Canandaigua has recommended that the Town Board accept these water utility and sidewalk easements; and

**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Canandaigua hereby accepts the above-referenced water utility and sidewalk easements; and

**BE IT FURTHER RESOLVED** that the Town Board hereby directs the Town Manager to execute the above-referenced water utility and sidewalk easements; and

**BE IT FURTHER RESOLVED** that the Town Board hereby directs the Town Attorney to arrange for the above-referenced water utility and sidewalk easements at the Ontario County Clerk's Office.

Attachment #18

**RESOLUTION NO. 2018 – 326: AUTHORIZATION OF TOWN MANAGER TO EXECUTE CERTIFICATE OF SUBSTANTIAL COMPLETION DOCUMENTS FOR THE HIGHWAY FACILITY**

**WHEREAS**, the Town of Canandaigua Town Board (herein after referred to as "Town Board") acknowledges the completion of the new town Highway Facility in May 2018; and

**WHEREAS**, MRB Group has presented documents to the Town for signature certifying the same; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua authorizes the Town Manager to execute all documents relative to the completion of the Highway Facility.

Attachment #19

**RESOLUTION NO. 2018 – 327: APPROVAL OF MAINTENANCE AGREEMENT WITH CUMMINS NORTHEAST, LLC FOR GOODALE ROAD PUMP STATION GENERATOR**

**WHEREAS**, the Goodale Road Pump Station (part of the Canandaigua Consolidated Water District) houses a Cummins emergency standby generator that has been maintained semi-annually by Cummins Northeast, LLC; and

**WHEREAS**, the Highway and Water Superintendent presents a Planned Equipment Maintenance Agreement submitted by Cummins Northeast, LLC to continue the semi-annual maintenance schedule from November 2018 through May 2021 for a three year cumulative total of \$5,387.44 (2019-\$1,784.12; 2020-\$1,784.12; 2021-\$1,819.20); and

**WHEREAS**, the cost of this maintenance has been allocated in the budget line S.8340.440.247 (Services and Maintenance) for the adopted 2019 budget; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Canandaigua hereby accepts the Planned Equipment Maintenance Agreement from Cummins Northeast, LLC and authorizes the Highway and Water Superintendent to execute this agreement; and

**BE IT FURTHER RESOLVED**, that the Highway and Water Superintendent is directed to file an executed copy of the contract with the Town Clerk.

Attachment #20

**RESOLUTION NO. 2018 – 328: REQUEST TO SURPLUS HIGHWAY EQUIPMENT**

**WHEREAS**, KVS #1513 a 2006 Ford F250 has outlived its useful life per the Town of Canandaigua Vehicle Replace Policy; and

**WHEREAS**, the Highway Superintendent is requesting Town Board to declare the 2006 Ford F250 (KVS #1513) as surplus; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby approves the Town Manager to remove these items from the fixed assets list and add them to the surplus list and recommends auctioning the surplus vehicle; and

**BE IT FURTHER RESOLVED**, the Town Clerk is directed to provide a copy of this resolution to the Highway Superintendent, Clerk (Finance), and Town Manager.

**RESOLUTION NO. 2018 – 329: APPROVAL TO PURCHASE FUEL CLOUD FUEL MANAGEMENT SYSTEM**

**WHEREAS**, the Highway Facilities Fuel Island and current fuel system monitoring software are no longer supported and the cost of repairs to the circuit board exceed the cost of updating the software; and

**WHEREAS**, the cost to purchase the FuelCloud software and the necessary hardware is a one-time fee of \$4,485.00 with a monthly fee of \$75.00 thereafter; and

**WHEREAS**, Francis Smith and Sons is the sole source provider of FuelCloud products in the state of New York; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua authorizes the Highway Superintendent to execute the contract for FuelCloud Fuel Management System to be paid out of budget line D.5130.200.

Attachment #21

**RESOLUTION NO. 2018 – 330: APPROVE WATER SUPERINTENDENT TO PURCHASE MATERIALS FOR THE MASTER METER WATER VAULTS**

**WHEREAS**, the Town of Canandaigua Town Board (herein after referred to as “Town Board”) is aware that the Town has been informed that three new concrete water master meter locations are needed pertaining to Canandaigua Consolidated County Road 10; and

**WHEREAS**, the Water Superintendent received proposals from interested parties for the purposes of providing the materials to place the three water meter vaults at the Canandaigua Hopewell municipal boundary on State Route 21, County Road 4 and 10 and at County Road 50 and Roseland Plaza; and

**WHEREAS**, the Water Superintendent received two quotes, one from Core & Main for \$47,888.98 and one from Blair Supply for \$57,772.33; and

**WHEREAS**, the Water Superintendent recommends purchasing the materials from Core & Main; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board approves the purchase of all necessary materials for the three concrete water mater vaults from Core & Main at an amount not to exceed \$47,888.98 to be paid from budget line S.8340.440.247; and

**BE IT FINALLY RESOLVED**, the Town Board directs the Water Superintendent to purchase the materials for the master meter water vaults.

Attachment #22

**RESOLUTION NO. 2018 – 331: APPROVAL TO PURCHASE A NEW SOLID WASTE CONTAINER**

**WHEREAS**, the current solid waste container is over 20 years old and is no longer serviceable due to its age and the strength of the steel; and

**WHEREAS**, the Highway Superintendent has received quotes from Cyncon for \$11,740.00 and Tenco for \$12,084; and

**WHEREAS**, the Highway Superintendent recommends purchasing from Cyncon; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua authorizes the Highway Superintendent to purchase a new solid waste container from Cyncon at a cost not to exceed \$11,740.00 to be paid out of budget line A.8160.200; and

**BE IT FURTHER RESOLVED**, the Town Board directs the Town Manager to make a budget transfer from A.1990.400 (Contingency) to A.8160.200 (Waste & Recycling Equipment) in the amount of \$11,740.00 to cover this purchase; and

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

Attachment #23

**RESOLUTION NO. 2018 – 332: SEQR DETERMINATION OF NON-SIGNIFICANCE AND ADOPTION OF A TEXT CODE AMENDMENT TO TOWN CODE CHAPTER 220-9W REGARDING CHANGES TO DIMENSIONAL REQUIREMENTS FOR SWIMMING POOLS**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as “Town Board”) is considering the adoption of a Local Law that would execute a text code amendment to Town Code Chapter §220-9W that would eliminate the size limits for swimming pools and clarify required setbacks; and

**WHEREAS**, the Town Board of the Town of Canandaigua held a public hearing(s) on the proposed local law on November 19, 2018; and

**WHEREAS**, the Town Board determines said proposed action is classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and



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

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

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

**BE IT FURTHER RESOLVED**, the Town Board of the Town of Canandaigua has reasonably concluded there would not be any substantial adverse impact on the following: land use planning or zoning regulations; intensity of use of the land; character or quality of the existing community; environmental characteristics; existing level of traffic or infrastructure, use of energy; public or private water supplies; public or private wastewater treatment utilities; character or quality of important historic, archaeological, architectural or aesthetic resources; natural resources; potential for erosion, flooding or drainage problems; or creation of a hazard to environmental resources or human health; and

**BE IT FURTHER RESOLVED**, the Town Board of the Town of Canandaigua determines upon the information and analysis documented, the proposed action will not result in any significant adverse environmental impacts; and

**BE IT FURTHER RESOLVED**, the Town Board of the Town of Canandaigua does hereby make a Determination of Non-Significance on the proposed action; and

**BE IT FURTHER RESOLVED**, the Town Manager is hereby directed to sign the Short Environmental Assessment Form Part 3 and file with the Town Clerk as evidence the Town Board has determined the proposed action will not result in any significant adverse environmental impact; and

**BE IT FURTHER RESOLVED**, the Town Board of the Town of Canandaigua, after due deliberation, finds it in the best interest of the Town of Canandaigua and the community to adopt said Local Law; and

**BE IT FURTHER RESOLVED**, the Town Board of the Town of Canandaigua hereby adopts Local Law No. \_\_\_\_ of the Year 2018; and

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

**BE IT FINALLY RESOLVED**, the Town Board of the Town of Canandaigua hereby directs the Town Clerk to enter Local Law No. \_\_\_\_ of the Year 2018 in the minutes of this meeting, and in the Local Law Book of the Town of Canandaigua, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

Attachment #24

**RESOLUTION NO. 2018 – 333: SETTING A PUBLIC HEARING ON A TEXT CODE AMENDMENT TO TOWN CODE CHAPTER 220-9 THAT WOULD AMEND THE REGULATION OF SITING AND SIZE REQUIREMENTS OF ACCESSORY BUILDINGS OUTSIDE THE RLD; AND SEQR INTENT TO DECLARE LEAD AGENCY**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as “Town Board”) is considering a Local Law to execute a text code amendment to Town Code Chapter §220-9 that would amend certain existing regulations regarding the siting requirements and size requirements for accessory buildings outside of the RLD; and

**WHEREAS**, the Town Board would like to hear from residents about the proposed Local Law; and

**WHEREAS**, the Town Board wishes to refer the proposed Local Law to the Town of Canandaigua Planning Board, Environmental Conservation Board, Zoning Board of Appeals, and the Ontario County Planning Board; and

**WHEREAS**, the Town Board intends to determine said proposed Local Law is classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

**WHEREAS**, the Town Board intends to declare itself as the Lead Agency on the proposed action; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby establishes a public hearing for the proposed Local Law to be held on December 17, 2018 at 6:00 pm at the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY 14424; and

**BE IT FURTHER RESOLVED**, the Town Board directs the Town Manager to refer the proposed Local Law and notification of SEQR intent to declare Lead Agency to the Town of Canandaigua Planning Board, Environmental Conservation Board, Zoning Board of Appeals, and the Ontario County Planning Board; and

**BE IT FINALLY RESOLVED**, the Town Clerk is directed to provide notice of said public hearing.

Attachment #25

**RESOLUTION NO. 2018 – 334: APPOINTMENT OF ADMINISTRATIVE AIDE COORDINATOR POSITION**

**WHEREAS**, the Town of Canandaigua Town Board (hereinafter referred to as “Town Board”) is aware of the need for the restructuring of certain positions in the Town to further clarify duties and responsibilities of existing employees in order to promote efficiency; and

**WHEREAS**, the Town is able to make a provisional appointment to the Administrative Aide Coordinator position until the examination becomes available and at that point the existing staff member is willing to take the competitive civil service exam; and

**WHEREAS**, the Town Manager is recommending a current employee, Sarah Reynolds, to be appointed provisionally to the Administrative Aide Coordinator position at her current 2018 rate of pay; and

**WHEREAS**, a new budget line shall be created for this position, A.1230.120 and the following budget transfer shall take place:

Decrease: A.8010.143,           \$7,857.00

Increase: A.1230.120,           \$7,857.00

**NOW, THEREFORE BE IT RESOLVED**, the Town Board hereby appoints Sarah Reynolds provisionally to the part-time Administrative Aide Coordinator position to be paid out of budget line A.1230.120; and

**BE IT FURTHER RESOLVED**, the Town Manager is directed to complete all the necessary paperwork for Ontario County appointing Mrs. Sarah Reynolds provisionally to the Administrative Aide Coordinator position.

**RESOLUTION NO. 2018 – 335: APPOINTMENT OF WATER MAINTENANCE ASSISTANT POSITION**

**WHEREAS**, the Town of Canandaigua Town Board (hereinafter referred to as “Town Board”) is aware of the need for the restructuring of certain positions in the Town to further clarify duties and responsibilities of existing employees in order to promote efficiency; and

**WHEREAS**, the Town Manager is recommending a current employee, Mike Boyce, to be appointed to the Water Maintenance Assistant position at the rate of pay established for Group 2 in the Union Agreement which is \$26.87 / hour; and

**NOW, THEREFORE BE IT RESOLVED**, the Town Board hereby appoints Mike Boyce to the full-time Water Maintenance Assistant position to be paid out of budget line S.8310.131.247; and

**BE IT FURTHER RESOLVED**, the Town Manager is directed to complete all the necessary paperwork for Ontario County appointing Mr. Mike Boyce to the Water Maintenance Assistant position.

**RESOLUTION NO. 2018 – 336: APPOINTMENT OF A PART-TIME DEPUTY TOWN CLERK**

**WHEREAS**, the Town Clerk has a need to fill the position of a part-time Deputy Town Clerk vacated by Kathy Pusateri; and

**WHEREAS**, the Town Clerk has hired Rebeca Doyle to fill the part-time Deputy Town Clerk position with a start date of November 5, 2018 and is recommending a rate of \$14.00 per hour to be paid from 2018 budgeted line A.1410.141 and not to exceed the budgeted amount of \$20,072.00 for the 2018 calendar year; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board acknowledges the hiring of Rebeca Doyle as the part-time Deputy Town Clerk, approves the rate of \$14.00 per hour to be paid out of budget line A.1410.142 and authorizes the Town Manager to execute any and all documents to implement the appointment.

**RESOLUTION NO. 2018 – 337: ESTABLISHING THE STANDARD WORK DAY FOR RETIREMENT PURPOSES**

**WHEREAS**, the New York State and Local Employees’ Retirement System requires that a standard workday be established for retirement credit purposes; and

**WHEREAS**, the Town of Canandaigua has reviewed and recommends establishment of standard work days for certain; and

<b>Title</b>	<b>Standard Work Day Hours</b>
Administrative Aide	6
Human Resources and Payroll Coordinator	8
Town Manager	8
Water Maintenance Assistant	8

**RESOLVED**, that the Town of Canandaigua hereby establishes the following standard work day for the certain positions; and

**RESOLVED**, that the Town of Canandaigua will report the following days worked in the New York State Employees' Retirement System based on the employer's time keeping system; and

**NOW THEREFORE BE IT RESOLVED**, that a certified copy of this resolution be transmitted by the Town of Canandaigua Town Clerk to the New York State Comptroller.

**RESOLUTION NO. 2018 – 338: AMENDMENT TO TOWN BOARD'S RULES OF PROCEDURE**

**WHEREAS**, the Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') wishes to make certain changes to the Town Board's Rules of Procedure in order to memorialize current operations, and clarify expectations relating to Town Board meetings; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua amends the Canandaigua Town Board's Rules of Procedure; and

**BE IT FINALLY RESOLVED**, the Town Clerk is directed to provide a copy of the Town Board's Rules of Procedure to the Town Manager and file a copy in the Town's Administrative Manual.

Attachment #26

**RESOLUTION NO. 2018 – 339: UNPAID WATER / SEWER BILLS TO TAX FOR RELEVY**

**WHEREAS**, the Canandaigua Town Board has been notified by the Canandaigua-Farmington Water and Sewer Department, the Canandaigua-Hopewell Water District and the Canandaigua Water Department of unpaid water and sewer charges; and

**WHEREAS**, an Annual Statement has been compiled by the Town Clerk listing all unpaid charges for the 2019 Tax Re-Levy which are broken down in the following special districts:

<u>Special District Name</u>	<u>Total Amount</u>
WA241 - ANDREWS & NORTH ROAD WATER	211.20
WA245 - PARRISH STREET WATER Ext. #20	35.53
WA246 - CDGA-EMERSON-TL RD (CDGA)	0.00
WA248 - HOPKINS-GRIMBLE	781.76
WD-201 BRISTOL-CDGA WATER (BRISTOL)	2688.41
WD241 - CDGA-FARM WATER (CDGA)	7528.97
WD-247 - CDGA CONS WATER-ETC.	41629.38
WD248 - CDGA HOPEWELL WTR (CDGA)	4841.18
WD249 - CDGA CONS WATER-PARRISH ST	172.59
WD345 - CDGA-TL-HOPEWELL (HOPEWELL)	0.00
WO-245 - McINTYRE ROAD WATER EXT.	341.91

WO-246 - CDGA-BRISTOL WATER (CDGA)	1123.70
WT241 - CDGA CONS WATER #6	1083.53
WT243 - CDGA CONS WATER #8	354.48
WT244 - CDGA CONS WATER #9	195.85
WT245 - WEST LAKE RD BENEFIT (ad valorem)	849.26
WT246 - WYFFELS ROAD WATER	592.49
WT247 - CDGA CONS WATER #11	1416.68
WT248 - RISSER ROAD EXTENTION	0.00
CANANDAIGUA SANITARY SEWER	1470.00
OUT OF DISTRICT WATER USER	0.00
WO-247 CCWD #36	635.49
WD-EXT 40 NOTT ROAD (WO249)	<u>148.90</u>
TOTAL AMOUNT	\$66,101.31

**NOW, THEREFORE BE IT RESOLVED**, the Town Board acting through its Water and Sewer Superintendents, shall transmit such Statement to the Ontario County Board of Supervisors which shall levy such sums against the property liable.

**RESOLUTION NO. 2018 – 340: AUTHORIZATION FOR TOWN MANAGER TO EXECUTE MEMORANDUM OF UNDERSTANDING RELATING TO PERMITS AND INSPECTIONS AT THE CANANDAIGUA AIRPORT**

**WHEREAS**, a need exists to clarify expectations relating to permits, inspections, and the approval process for certain improvements at the Canandaigua Airport; and

**WHEREAS**, the Ontario County Industrial Development Agency (“IDA”), the Canandaigua Airport (“Airport”), the office of Ontario County Planning, the Town of Canandaigua Town Manager, the Town of Canandaigua Town Attorney, and Town of Canandaigua Code Enforcement have discussed options for memorializing agreements relating to permits, inspections, and the approval process for improvements at the Canandaigua Airport; and

**WHEREAS**, it is the recommendation of the Canandaigua Town Manager and the Canandaigua Town Attorney that the Town of Canandaigua Town Board (herein after referred to as “Town Board”) consider entering into a memorandum of understanding (“MOU”) to clarify the process; and

**WHEREAS**, the Town Board has been presented with a proposed MOU for consideration; and

**NOW THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby approves of the MOU and authorizes the Town Manager to execute the MOU with the Ontario County IDA and Ontario County; and

**BE IT FINALLY RESOLVED**, the Town Clerk is directed to provide a copy this resolution to the Canandaigua Town Manager, the Ontario County IDA, and Ontario County.

Attachment #27

**SURETY BLOCK:** Resolution No. 2018-341 through 2018-346

**RESOLUTION NO. 2018 – 341: ROADWORK SURETY FOR LAKEWOOD MEADOWS SECTION 9B (TAX MAP # 112.19-1-500.210/ST. JAMES PARKWAY)**

**WHEREAS**, the Town of Canandaigua Planning Board has granted an approval for the construction of a roadway as part of Lakewood Meadows Section 9B, Canandaigua (Tax Map # 112.19-1-500.210), owned by S & J Morrell; and

**WHEREAS**, the Town of Canandaigua Highway Superintendent and the Town Engineer have determined that additional measures are needed associated with improvements to the roadway to ensure that the roadway meets Town of Canandaigua standards (site design) in order to accept dedication of the roadway by the Town at a later date; 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

**WHEREAS**, the applicant has provided a Letter of Credit in the amount of \$68,497.21 for the purposes of the soil erosion for roadwork surety; and

**NOW, THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby approves and accepts a roadwork surety in the total amount of \$68,497.21 in the form of a Letter of Credit.

Attachment #28

**RESOLUTION NO. 2018 – 342: SOIL EROSION AND SEDIMENT CONTROL SURETY FOR 6245 GOFF ROAD (TAX MAP #139.00-1-38.000)**

**WHEREAS**, the Town of Canandaigua Planning Board has granted a single-stage site plan approval for the Construction of a New Single-Family Dwelling at 6245 Goff Road, Canandaigua (Tax Map 139.00-1-38.000), owned by David & Karen VanDeReems; and

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

**WHEREAS**, the Town Code Enforcement Officer has reviewed the proposed estimates and found them to be satisfactory to meet the conditions of approval and the work to be completed; and

**WHEREAS**, the applicant has provided checks in the amount of \$500.00 for the purposes of the soil erosion and sediment control surety; and

**WHEREAS**, the Town Manager has approved the issuance of permits and acceptance of the soil erosion and sediment control surety in an amount of \$500.00 pending Town Board approval per §174-32(F) of the Town of Canandaigua Town Code; and

**NOW, THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby approves and accepts a soil erosion and sediment control surety in the total amount of \$500.00 in the form of a check.

Attachment #29

**RESOLUTION NO. 2018 – 343: SOIL EROSION AND SEDIMENT CONTROL SURETY FOR 3365 STATE ROUTE 364 (TAX MAP #98.11-2-8.000)**

**WHEREAS**, the Town of Canandaigua Planning Board has granted a Site Plan approval for Construction of a Testing and Tasting facility at 3365 State Route 364, Canandaigua (Tax Map # 98.11-2-8.000), Leased by Star Cider owned by Sarahfrank, LLC; and

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

**WHEREAS**, the Code Enforcement Officer has reviewed the proposed estimates and found them to be satisfactory to meet the conditions of approval and the work to be completed; and

**WHEREAS**, the applicant has provided a Check in the amount of \$1,044.00 for the purposes of the soil erosion and sediment control surety; and

**NOW, THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby approves and accepts a soil erosion and sediment control surety in the total amount of \$1,044.00 in the form of a check.

Attachment #30

**RESOLUTION NO. 2018 – 344: SOIL EROSION AND SEDIMENT CONTROL SURETY FOR 3614 MIDDLE CHESHIRE ROAD (TAX MAP # 97.04-1-55.100)**

**WHEREAS**, the Town of Canandaigua Planning Board has granted a Site Plan approval for Construction of a New single-family dwelling on 3614 Middle Cheshire Road, Canandaigua (Tax Map # 97.04-1-55.100), owned by Stephen Hawryschuk and Catherine Telehany; and

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

**WHEREAS**, the Code Enforcement Officer has reviewed the proposed estimates and found them to be satisfactory to meet the conditions of approval and the work to be completed; and

**WHEREAS**, the applicant has provided a check in the amount of \$1,284.00 for the purposes of the soil erosion and sediment control surety; and

**NOW, THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby approves and accepts a soil erosion and sediment control surety in the total amount of \$1,284.00 in the form of a check.

Attachment #31

**RESOLUTION NO. 2018 – 345: SOIL EROSION AND SEDIMENT CONTROL SURETY FOR 3455 SANDY COVE (TAX MAP # 98.15-1-18.200)**

**WHEREAS**, the Town of Canandaigua Planning Board has granted a Site Plan approval for Replacement of an existing drainage pipe to Canandaigua Lake at 3455 Sandy Cove, Canandaigua (Tax Map # 98.15-1-18.200), owned by Terry Smith; and

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

**WHEREAS**, the Code Enforcement Officer has reviewed the proposed estimates and found them to be satisfactory to meet the conditions of approval and the work to be completed; and

**WHEREAS**, the applicant has provided a check in the amount of \$250.00 for the purposes of the soil erosion and sediment control surety; and

**NOW, THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby approves and accepts a soil erosion and sediment control surety in the total amount of \$250.00 in the form of cash.

Attachment #32

**RESOLUTION NO. 2018 – 346: SOIL EROSION AND SEDIMENT CONTROL SURETY FOR 5797 SMITH ROAD (TAX MAP # 139.00-1-8.220)**

**WHEREAS**, the Town of Canandaigua Planning Board has granted a Site Plan approval for Construction of a New single-family dwelling on 5797 Smith Road, Canandaigua (Tax Map # 139.00-1-8.220), owned by James Aquilano; and

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

**WHEREAS**, the Code Enforcement Officer has reviewed the proposed estimates and found them to be satisfactory to meet the conditions of approval and the work to be completed; and

**WHEREAS**, the applicant has provided a check in the amount of \$1,400.00 for the purposes of the soil erosion and sediment control surety; and

**NOW, THEREFORE BE IT RESOLVED**, the Town Board of the Town of Canandaigua hereby approves and accepts a soil erosion and sediment control surety in the total amount of \$1,400.00 in the form of a check.

Attachment #33

- Approval of the following Town Board Meeting Minutes:  
October 15, 2018
- Payment of the Bills  
Abstract Claim Fund Totals presented by Town Clerk  
Voucher Summary Report for Town Board signatures  
(By signing, Town Board members represent they have reviewed the purchases for compliance with the Town's approved policies & approve of the prepared Voucher Summary Report and the attached invoices)

Utility Abstract dated 11/6/2018 totaling \$11,697.35  
General fund \$8,815.39  
Highway fund \$72.73  
Capital Projects \$608.07  
Water districts \$1,022.90



Lighting Districts \$1,178.26

Abstract dated 11/13/2018 totaling \$1,422,051.02

General fund \$279,603.69

Local Solid Waste Management Plan \$27.60

Highway fund \$737,631.12

Capital projects \$309,281.63

Water districts \$91,042.35

TA fund \$4,464.63

- Privilege of the Floor
- Other Business
- Privilege of the Floor
- Executive Session, as requested
- Adjournment

# ATTACHMENT 1

Director of Parks and Recreation, Dennis Brewer, report to the Town Board for November 19, 2018

Senior/Active Adult Activities: Starting Thursday, November 8, and every Thursday from 9:30 to 11:30 at Richard P. Outhouse Park the building will be opened for seniors to have coffee, treats and play games. This year we had 3 tours and because of interest we are planning on having 4 next year. One will be a trip to see the white deer, the others will be chosen in January.

Mowing: The bids for mowing are due November 16 at 2:00 in the town clerk's office. We are looking to have all our parks, cemeteries and town hall done by an outside contractor next season.

Onanda Park: Upland cabins and King Hall have been closed for the season. The same will be done on lakeside. The porch on Hayowentha has been replaced. We are waiting for the roofs to be replaced on Babcock and the Sheriff's building. Discussion is taking place on the replacement of the septic system at Gorham Lodge as there have been problems.

Revenue:

Reservations:	2108	2017	2016
	\$82,922	\$83,190	\$87,755
Gatehouse:	\$18,855	\$18,208	\$21,613

Park and Recreation Committee: The committee meeting dates for 2019 will be on the 4<sup>th</sup> Wednesday of each month. Locations to be determined at the next meeting. There was a discussion on the importance of attending committee meetings. Also, at the next meeting, there will be a discussion about rental rates and I will share projects for 2019. The next meeting is November 28 at 6:00 at town hall.

## Highway and water report November 19, 2018

### Highway

1. We have prepared our equipment and materials for the upcoming winter.
2. Employees are working on organizing the many tools, shop layout, storage of materials and unloading the many boxes from the old highway building.
3. Training of the HVAC system in the new facility was completed by six highway employees.
4. Fuel management system. The existing fuel system is in need of much repair and have decided to replace with a new system vs the cost of repairing a 10 year old computer.

### Water

1. Continue the progress of the four water master meter vaults. Vaults are in production and materials will be coming soon. First one to be installed is at the Widewaters property.
2. Will be sending letters out to the residents along county road 10 asking for an easement for the water main on County road 10.
3. Have been meeting with the town of Hopewell water superintendent Ken Potter. We have discussed with Greg Hoteling and myself what both towns need for the meter vaults and there locations.
4. The stage two disinfection test have been completed.
5. Employees are out installing hydrant markers for the winter.

### Other items

1. The county road 30 pond work is now completed. I have purchase stone for the trail and if we get a cold snap for several days I will try and place the trail.
- 2.

## Assessor's Report November 19, 2018

Our office is currently working on updating the inventory for new construction and improvements.

All of our small claims assessment reviews have been settled with a minimal impact to overall Town value. There are still three Article 7 cases outstanding that are in process.

Sales numbers in the Town YTD are 102 sales \$40,000 to \$1,375,000 with a median price of \$245,500, little change from last month.

Respectfully submitted,

*Christopher Lyon, IAO*

Town Historian's Report  
for November 19, 2018

- 1. The second batch of "Cheshire" books have been received (51 - 100) and dispersed.**
- 2. We are nearly ready to begin to start work on the Wovlerton Cemetery. Jay Dutcher's son, Josh, has received a committment for a group of "SeaBee"s for aid in the project, as well as some scouts, rotarians, and DAR members. On September 8th, this group met and completed this work. Peter Ellison, our 'Conservationist', has yet to meet with me to examine the work still to be done.**
- 3. We have recently (10/10) visited FaBa farm, the large dairy farm on Cooley Rd. owned John Knopf**

Respectfully,

Ray Henry, Town Historian

**Itallics indicate NEW ilems!!!!!!!**

## Town Clerk Report for the October 15, 2018, Town Board Meeting

1. **Monthly Financial Report:** Revenues collected in the Town Clerk's office for the month of October 2018 totaled \$243,795.07. (see attached report)
2. **Resolution Ratifying Deputy Town Clerk Position:** On October 22, 2018, Deputy Town Clerk Kathy Pusateri resigned from her position effective November 2 due to her husband being transferred to the Buffalo, New York area for his job. Deputy Town Clerk Rebeca Doyle was offered and has accepted to fill this position. Deputy Clerk Doyle began fulfilling the duties of this position on Monday, November 5, 2018 at a rate of pay of \$14.00 per hour. Her top priority responsibility will be to continue scanning documents into the Laserfiche software along with customer service, dog licensing mailings, tracking IT service orders, etc. There is a resolution on the agenda to ratify her salary.
3. **Holiday Family Adoption:** For the past 20+ years, the Town has adopted a less fortunate family to assist them with gifts and food for the Christmas holiday. I have been in touch with the Canandaigua City School District and will be receiving the family information before the Thanksgiving holiday. Once this information is received, an email will be sent to all staff members and board / committee members.
4. **Re-Levy of Unpaid Water / Sewer Bills to 2019 County / Town Tax Bills:** This year's unpaid water and sewer bills to be levied of to 2019 County / Town tax bills is higher than last year's by \$6,018.02. The cause is unknown. Last year the amount levied was \$60,083.29. This year the amount totaled \$66,101.31. There is a resolution on the agenda approving the unpaid water and sewer bill levy amount to the 2019 County / Town tax bills.
5. **Resolutions:**
  - A. Authorizing Canandaigua National Bank to accept tax payments during the month of January 2019
  - B. Unpaid Water and Sewer Bills to Tax Levying
  - C. Ratifying the Hourly Rate for Deputy Town Clerk

Please let me know if you have any questions.

Submitted by,

*Jean Chrisman*

Jean Chrisman  
Town Clerk

Account#	Account Description	Fee Description	Qty	Local Share
A.2001	Cabins / Halls / Pavilions	Onanda Halls/Lodging	8	2,225.00
	Onanda Cabin NON Residential Daily	Onanda Cabin NON Residential Daily	1	170.00
	Onanda Park Pavilion	Onanda Park Pavilions	1	110.00
	Outhouse Park Hall Full Day	Outhouse Park Hall Full Day	3	450.00
	WL Schoolhouse Weekend	WL Schoolhouse Weekday	1	35.00
		WL Schoolhouse Weekend	1	60.00
		<b>Sub-Total:</b>		<b>\$3,050.00</b>
A.2590	Building Fee	Building Fee	2	100.00
		<b>Sub-Total:</b>		<b>\$100.00</b>
A1255	Conservation	Conservation	13	46.28
	Marriage Lic.	Marriage License Fees	2	35.00
	Misc. Fees	Copies	125	31.25
		Marriage Cert	5	50.00
		<b>Sub-Total:</b>		<b>\$162.53</b>
A1603	Misc. Fees	Death Cert	48	480.00
		<b>Sub-Total:</b>		<b>\$480.00</b>
A2110	Plan & Zone	Zoning Fee	4	750.00
		<b>Sub-Total:</b>		<b>\$750.00</b>
A2120	Plan & Zone	Soil Erosion	3	450.00
		<b>Sub-Total:</b>		<b>\$450.00</b>
A2148	Misc. Fees	Returned Check Fee	1	20.00
		<b>Sub-Total:</b>		<b>\$20.00</b>
A2544	Dog Licensing	Exempt Dogs	1	0.00
		Female, Spayed	65	845.00
		Female, Unspayed	18	342.00
		Male, Neutered	98	1,274.00
		Male, Unneutered	11	209.00
		Replacement Tags	1	3.00
	Late Fees	Late Fees	33	165.00
		<b>Sub-Total:</b>		<b>\$2,838.00</b>
A2590	Plan & Zone	Site Development	33	8,531.20
		<b>Sub-Total:</b>		<b>\$8,531.20</b>
A2591	Misc. Fees	Transfer Coupons	924	1,848.00
		<b>Sub-Total:</b>		<b>\$1,848.00</b>
CM-2001	Plan & Zone	Parks And Recreation	1	1,000.00
		<b>Sub-Total:</b>		<b>\$1,000.00</b>
S.2140.247	Rents Payments	Rents Payments	59	214,897.23
		<b>Sub-Total:</b>		<b>\$214,897.23</b>
S.2142.247	Water Sales	Water Sales	1	180.50
		<b>Sub-Total:</b>		<b>\$180.50</b>





<b>WATER -- Day of Week</b>	<b>October 2018 Date</b>	<b>Amount Deposited</b>	<b>Month To Date Totals</b>	<b>Balanced w/ Utilities &amp; TC BAS</b>
Monday	10/1/2018	\$1,361.59		
Tuesday	10/2/2018	\$6,797.18		
Wednesday	10/3/2018	\$8,132.06		
Thursday	10/4/2018	\$1,605.63		
Friday	10/5/2018	\$13,667.96	\$31,564.42	
Monday	10/8/2018	Holiday		
Tuesday	10/9/2018	\$16,986.88		
Wednesday	10/10/2018	\$788.33		
Thursday	10/11/2018	\$8,685.65		
Friday	10/12/2018	\$17,601.46	\$75,626.74	
Monday	10/15/2018	\$18,077.55		
Tuesday	10/16/2018	\$4,210.23		
Wednesday	10/17/2018	\$7,236.43		
ACH	Online Satelite	\$26,340.63	\$33,577.06	
Returned Pymt	10/17/2018	-\$93.22		
Thursday	10/18/2018	\$8,907.75		
Friday	10/19/2018	\$4,403.79	\$144,709.90	
Monday	10/22/2018	\$8,193.26		
Tuesday	10/23/2018	\$5,245.08		
Wednesday	10/24/2018	\$19,044.19		
Thursday	10/25/2018	\$8,772.32		
Friday	10/26/2018	\$11,073.46	\$197,038.21	
Monday	10/29/2018	\$14,735.55		
Tuesday	10/30/2018	\$2,377.66		
Wednesday	10/31/2018	\$9,152.70	\$223,304.12	

**TOWN OF CANANDAIGUA  
DEVELOPMENT OFFICE MONTHLY REPORT**

NOVEMBER 1, 2018

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**PERMITS**

<b>Year</b>	<b>Oct. Permits</b>	<b>Year to Date Permits</b>	<b>Oct. \$</b>	<b>Year to Date \$</b>
2018	31	362	\$7,759.20	\$99,672.00
2017	57	441	\$32,576.60	\$122,921.30
2016	58	453	\$13,504.00	\$128,997.45
2015	39	506	\$10,556.30	\$400,206.00
2014	38	348	\$16,064.00	\$183,385.38

**BOARDS**

The Planning and Zoning Boards had very busy months in October. The Zoning Board heard and approved 4 requested variances along with 2 referrals from the Town Board. The Planning Board never has a dull moment as they worked overtime in both October meetings hearing 12 new applications, and conditionally approving 10. The Development Office will continue to work with all applicants to satisfy those conditions as quickly as possible. In the future our office hopes to provide more information on the length of time the process takes.

- Upcoming Meetings:
  - o Planning Board – 11/13 and 11/27 at 6:00pm.
  - o Zoning Board – 11/20 at 6:00pm.
  - o Environmental Conservation Board – 12/6 at 6:00pm.

**VIOLATIONS**

We have received complaints of a few potential violations of Town Code within Cheshire. Violation notices were issued, and the situation appears to be remedied. The Development Office will of course continue to investigate and respond to complaints as they are received.

**EFFICIENCIES**

The Development Office has moved to standardize forms and language and more effectively use existing databases. By doing this, we should be able to free hours of time for use on other purposes. We hope to continue finding methods to become more efficient in the future.

**TRAINING**

In early October, I attended a 3-day conference in Ithaca for the American Planning Association. I attended classes regarding 21<sup>st</sup> Century Industrial Planning, Neighborhoods Relation to People, Resilient NYS Agriculture, Techniques for Public Engagement, Zoning/Planning Law Update,

Corridor Planning, Flood Risk and Resiliency, and the Long-Term Effects of Shared/Connected/Automated Transportation on Upstate NY. I should have the presentations available for review shortly.

A handwritten signature in black ink, reading "Eric Cooper". The signature is written in a cursive style with a large, sweeping initial "E".

Eric Cooper, Planner

**TOWN OF CANANDAIGUA**  
**TOWN MANAGER MONTHLY REPORT**

November 19, 2018

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**PERSONNEL**

KUDOS: To Deputy Town Clerk Lisa Record for continuing to go above and beyond in serving our residents. One resident who recently emailed me said, *“I recently contacted your town clerk's office, I needed a copy of my father's death certificate. I spoke with Lisa in that office. She couldn't have been more helpful and pleasant. It was truly a pleasure to deal with her and you should be proud to employ such efficient staff. She made what seemed to be a difficult task quick and easy. I did thank her but wanted to let you know what a great employee you have.”*

KUDOS: To the Special Events Committee and all of the volunteers who braved cold weather and rain to put on a very nice 3<sup>rd</sup> annual Halloween at Onanda. While the rain likely kept some of the ghosts and goblins away, spirit was high for those who attended. Hopefully we can get a nice day next year relative to the weather.

KUDOS: To Dennis Brewer, Samantha Pierce, and Heather Krebs (City of Canandaigua) for organizing the first Cabin Fever Reliever (City/Town Senior Adult Recreation Program) kickoff on Thursday November 8<sup>th</sup>. The first event had 16 attendees mostly from the Town of Canandaigua. The program is held every Thursday from 9:30am – 11:30am at Outhouse Park in the Lodge (Building #100). Participants socialize with one another, play games, and are giving us ideas for future opportunities including speaking engagements and trips.

**FINANCE**

2018 UNASSIGNED FUND BALANCE UPDATE:

Date Report Generated: 10/29/2018

Estimated Unassigned Fund Balance Policy Report(s):

**GENERAL FUND:**

Estimated Unassigned Fund Balance as of 12/31/18:

**General Fund (A):** **\$ 1,885,810** Proposed FBP: \$ 547,460 / \$ 1,184,230 **OVER**  
**\$ 1,885,810** Current FBP: \$ 547,460 / \$ 2,189,840

Estimated Unassigned Fund Balance as of 12/31/19:

**General Fund (A):** **\$ 1,547,659** Proposed FBP \$ 789,486 / \$ 1,184,230 **OVER**

NOTES: Current KVS unassigned fund balance (A.0917) = \$ 3,551,523.99  
Cash Balance (9/30/2018) = \$ 2,939,042.08

**TOWN OF CANANDAIGUA  
TOWN MANAGER MONTHLY REPORT**

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Estimated budget unassigned fund balance	= \$ 2,035,810.00
(due to Hwy Project appropriations)	
Less appropriations from unassigned	= \$ 150,000.00
(Sucker Brook WQ Project)	= \$ 1,885,810.00 12/31/18

**HIGHWAY FUND:**

Estimated Unassigned Fund Balance as of 12/31/18:

<b>Highway Fund (D):</b>	<b>\$ 226,250</b>	Proposed FBP: \$ 213,354 / \$ 640,063
	<b>\$ 226,250</b>	Current FBP: \$ 644,380 / \$ 2,577,518 <b>UNDER</b>

Estimated Unassigned Fund Balance as of 12/31/19:

<b>General Fund (D):</b>	<b>\$ 82,660</b>	Proposed FBP \$ 213,354 / \$ 640,063 <b>UNDER</b>
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NOTES: Current KVS unassigned fund balance (D.0917) = \$ 0.00  
 Cash Balance (9/30/2018) = \$ 786,962.12  
 Estimated budget unassigned fund balance = (\$123,750.00)  
 2018 Unused funds estimated @ \$ 350,000 = \$ 226,250.00 12/31/18

**SPECIAL DISTRICTS:**

Lighting Districts (as of):

12/31/18 – SL 241 (Centerpointe):	<b>\$ 1,551</b>	PFBP: \$ 500 / \$ 2,145
12/31/19 – SL 241 (Centerpointe):	<b>\$ 1,051</b>	PFBP: \$ 500 / \$ 2,145
12/31/18 – SL 242 (Fox Ridge):	<b>\$ 8,313</b>	PFBP: \$ 1,125 / \$ 5,625 <b>OVER</b>
12/31/19 – SL 242 (Fox Ridge):	<b>\$ 6,313</b>	PFBP: \$ 1,125 / \$ 5,625
12/31/18 – SL 243 (Landings):	<b>\$ 1,255</b>	PFBP: \$ 543 / \$ 2,715
12/31/19 – SL 243 (Landings):	<b>\$ 1,255</b>	PFBP: \$ 543 / \$ 2,715
12/31/18 – SL 244 (Lakewood):	<b>\$ 3,921</b>	PFBP: \$ 696 / \$ 3,480 <b>OVER</b>
12/31/19 – SL 244 (Lakewood):	<b>\$ 3,621</b>	PFBP: \$ 696 / \$ 3,480
12/31/18 – SL 245 (Fallbrook):	<b>\$ 5,519</b>	PFBP: \$ 850 / \$ 4,250 <b>OVER</b>
12/31/19 – SL 245 (Fallbrook):	<b>\$ 4,119</b>	PFBP: \$ 850 / \$ 4,250

Drainage Districts (as of):

No Tax Levy in the Adopted 2019 Town Budget for any of the following districts:

12/31/18 – SD 241 (RT 332):	<b>\$ 95,790</b>	PFBP: \$ 9,500 / \$ 47,500 <b>OVER</b>
12/31/19 – SD 241 (RT 332):	<b>\$ 95,790</b>	PFBP: \$ 9,500 / \$ 47,500 <b>OVER</b>
12/31/18 – SD 241A (Lakewood):	<b>\$ 28,865</b>	PFBP: (planned clean out)
12/31/19 – SD 241A (Lakewood):	<b>\$ 28,865</b>	PFBP: (planned clean out)

**TOWN OF CANANDAIGUA  
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November 19, 2018

12/31/18 – SD 243 (Ashton):	\$ 14,595	PFBP: \$ 3,450 / \$ 17,250	
12/31/19 – SD 243 (Ashton):	\$ 14,595	PFBP: \$ 3,450 / \$ 17,250	
12/31/18 – SD 244 (Fox Ridge):	\$ 35,136	PFBP: \$ 3,675 / \$ 18,375	OVER
12/31/19 – SD 244 (Fox Ridge):	\$ 35,136	PFBP: \$ 3,675 / \$ 18,375	OVER
12/31/18 – SD 245 (Landings):	\$ 4,929	PFBP: \$ 1,290 / \$ 6,450	
12/31/19 – SD 245 (Landings):	\$ 4,929	PFBP: \$ 1,290 / \$ 6,450	
12/31/18 – SD 246 (OB):	\$ 16,997	PFBP: \$ 3,300 / \$ 16,500	
12/31/19 – SD 246 (OB):	\$ 16,997	PFBP: \$ 3,300 / \$ 16,500	
12/31/18 – SD 247 (Lakeside):	\$ 9,491	PFBP: \$ 3,225 / \$ 16,125	
12/31/19 – SD 247 (Lakeside):	\$ 9,491	PFBP: \$ 3,225 / \$ 16,125	
12/31/18 – SD 248 (Waterford):	\$ 8,863	PFBP: \$ 3,600 / \$ 18,000	
12/31/19 – SD 248 (Waterford):	\$ 8,863	PFBP: \$ 3,600 / \$ 18,000	
12/31/18 – SD 249 (Stablegate):	\$ 18,073	PFBP: \$ 3,450 / \$ 17,250	OVER
12/31/19 – SD 249 (Stablegate):	\$ 18,073	PFBP: \$ 3,450 / \$ 17,250	OVER

Fire Protection District (as of):

12/31/18 – SF 241 (Fire Protection):	\$ 60,490	PFBP \$ 21,040 / \$105,200	
12/31/19 – SF 241 (Fire Protection):	\$ 60,490	PFBP \$ 21,040 / \$105,200	

Sewer District (as of):

12/31/18 – SS 241 (Purdy Mobile):	\$ 0	PFBP \$ 910 / \$ 2,732	UNDER
12/31/19 – SS 241 (Purdy Mobile):	\$ 0	PFBP \$ 910 / \$ 2,732	UNDER

Water Districts (as of):

12/31/18 – SW 241A (Andrews Rd)	\$ 1,058	PFBP \$ 1,713 / \$ 3,425	UNDER
12/31/19 – SW 241A (Andrews Rd)	\$ 2,992	PFBP \$ 1,713 / \$ 3,425	
12/31/18 – SW 241B (CdgaFarm)	\$ 22,940	PFBP \$ 16,920 / \$ 42,301	
12/31/19 – SW 241B (CdgaFarm)	\$ 35,440	PFBP \$ 16,920 / \$ 42,301	
12/31/18 – SW 245B (McIntyre)	\$ 4,176	PFBP \$ 1,800 / \$ 3,150	OVER
12/31/19 – SW 245B (McIntyre)	\$ 4,953	PFBP \$ 1,800 / \$ 3,150	OVER
12/31/18 – SW 246A (CdgaBristol)	\$ 19,682	PFBP \$ 14,000 / \$ 24,500	
12/31/19 – SW 246A (Cdga Bristol)	\$ 23,066	PFBP \$ 14,000 / \$ 24,500	
12/31/18 – SW 246B (EmersonAlle)	\$ 962	PFBP \$ 2,000 / \$ 5,000	UNDER
12/31/19 – SW 246B (EmersonAlle)	\$ 2,636	PFBP \$ 2,000 / \$ 5,000	
12/31/18 – SW 247B (CR 30)	\$ 1,928	PFBP \$ 3,500 / \$ 6,125	UNDER
12/31/19 – SW 247B (CR 30)	\$ 3,764	PFBP \$ 3,500 / \$ 6,125	
12/31/18 – SW 248A (HopkinsGrim)	\$ 7,513	PFBP \$ 3,200 / \$ 5,600	OVER
12/31/19 – SW 248A (HopkinsGrim)	\$ 5,470	PFBP \$ 3,200 / \$ 5,600	
12/31/18 – SW 248D (Hickox)	(\$ 30,267)	PFBP \$ 680 / \$ 1,190	UNDER
12/31/19 – SW 248D (Hickox)	(\$ 29,888)	PFBP \$ 680 / \$ 1,190	UNDER
12/31/18 – SW 249A (Nott#40)	\$ 915	PFBP \$ 1,750 / \$ 2,450	UNDER
12/31/19 – SW 249A (Nott#40)	\$ 1,882	PFBP \$ 1,750 / \$ 2,450	
12/31/18 – SW 249B (CR 32 #41)	\$ 0	PFBP \$ 3,125 / \$ 4,375	UNDER
12/31/19 – SW 249B (CR 32 #41)	\$ 1,235	PFBP \$ 3,125 / \$ 4,375	UNDER

**TOWN OF CANANDAIGUA**  
**TOWN MANAGER MONTHLY REPORT**

November 19, 2018

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12/31/18 – SW 247 (CdgaCons) \$ 997,261 PFBP \$300,000/\$525,000  
 12/31/19 – SW 247 (CdgaCons) \$ 1,158,564 PFBP \$300,000/\$525,000

SW 247 – planned improvements relating to Cdga Consolidated for 2019 and 2020 allow the unassigned fund balance above range. Anticipated expenditures \$ 7,500,000 for 2019 and 2020.

10/29/18 – cash balance \$ 1,669,216

10/29/18 – planned improvements approx \$700,000 for the County Road 10 project will need to be encumbered from the 2018 budget into 2019 leaving unassigned \$900k.

FUND BALANCE RESTORATION: The current General Fund Unassigned Fund Balance exceeds the unassigned fund balance appropriate range in the proposed fund balance policy. Per the unassigned fund balance policy the Town Manager is to propose a recommendation to the Town Board for consideration of options to restore the unassigned fund balance to the appropriate range. The following is my recommendation to you:

General Fund – Unassigned Fund Balance

12/31/18 – estimated Unassigned Fund Balance	\$ 1,885,810	\$ 1,885,810
12/31/19 – estimated Unassigned Fund Balance	\$ 1,547,659	
Proposed Policy Range	\$ 789,486 - \$ 1,184,230	<u>\$ 1,184,230</u>
Amount over Acceptable Range:		\$ 701,580

Proposed Restoration Plan

Appropriation of Unassigned Fund Balance as follows:

A.0234 (Open Space Fund Reserve)	\$ 150,000
10/31/18 Balance:	\$ 480,200
Appropriated PDR:	<u>\$ 79,950</u>
Estimated Balance:	\$ 400,250

New Reserve Fund: Solid Waste Management Facility Reserve (GML Section 6-0)	\$ 100,000
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New Reserve Fund:	\$ 150,000
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**TOWN OF CANANDAIGUA**  
**TOWN MANAGER MONTHLY REPORT**

November 19, 2018

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Payment of Bonded Indebtedness  
(GML Section 6-h)

New Reserve Fund	\$ 300,000
Water/Sewer/Infrastructure Improvements (GML Sections, 6-c, 6-g)	

There are 3 proposed resolutions for your consideration on your Town Board agenda to create these new reserve funds.

**GENERAL / DEVELOPMENT / PLANNING**

DEVELOPMENT: New this month you have a report coming directly from Town Planner Eric Cooper. He will be providing information relative to new construction and development.

POLICY UPDATES: Your Town Board agenda includes a number of policy updates designed to memorialize our current practices and procedures. These policies have been reviewed with the Town's Finance Committee.

FINANCIAL ACCOUNTING SOFTWARE: Samantha Pierce, Kris Singer and I have been participating in online training sessions with Tyler Technologies to prepare the chart of accounts, and financial software conversion to our new system. Tentatively the plan is to begin the conversion process the week of November 19<sup>th</sup>, with onsite training for staff likely occurring the week of December 17<sup>th</sup>. It is anticipated at this point we will close 2018 in the KVS system, and begin utilization of the new system at the first of the year.

INVESTMENTS: Traditionally the Town of Canandaigua's interest income has been very low for the past ten years. With interest rates starting to rise, now is a good time to explore options for short term investments of funds in order to help build up rates. For example, most of our accounts are earning something along the lines of 0.6% interest. Your agenda includes a resolution for your consideration that would authorize me to invest reserve fund monies for 60 days at a much higher rate of nearly 2%.

ICMA TRAINING: On October 17<sup>th</sup> Samantha, Sarah, and I attended the ICMA management training at SUNY Brockport for a one day session. Topics included emergency management budgeting, forecasting, energy capital planning and investment; and general human resource management training.

**TOWN OF CANANDAIGUA**  
**TOWN MANAGER MONTHLY REPORT**

November 19, 2018

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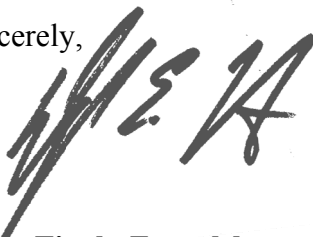
CONSERVATION OPEN SPACE: Members of our Open Space Team, Sarah Reynolds and I have meet with Finger Lakes Land Trust to determine their priority projects that align with the Town’s adopted Open Space Plan. There is a potential of a project that is being called ‘the Vista’ project that is a top parcel of interest for the Land Trust, and it is also highly rated by the Town’s adopted Open Space plan. A proposal for the conservation of the parcel through conservation easements, and possible funding support will likely be brought to you early in 2019.

CODE ENFORCEMENT: Code Enforcement continues to provide service to the Town of Bristol for code enforcement, building inspection, and fire inspection services. We have been tracking the hours and it seems to be averaging between 15 – 20 hours per month in service to the Town of Bristol. Bristol Town Supervisor Bob Green has informed me that the Town of Bristol has been very happy with the support and level of professionalism they are receiving. Supervisor Green informed me that he will be speaking with his board about the possibility of extending our agreement another six months. I will be advancing that proposal to you, likely at your December 2018 meeting.

FIRE DEPARTMENTS: On October 22<sup>nd</sup>, I met with representatives of the Cheshire Fire Department regarding a new possible contract for 2019. I believe we will have a proposal for your consideration at the December 2018 Town Board meeting.

GRANTS: Sarah Reynolds was able to submit the UPWP grant application to the Genesee Transportation Council relating to a possible active transportation study of Middle Cheshire Road. If awarded the study would evaluate options for Middle Cheshire Road from Wells Curtice Road all the way to the Hammocks, including the intersection of Route 5&20 that has seen three serious accidents in 2018. Speed and pedestrian accessibility would also be factored into the study if awarded. The grant proposal calls for approximately \$60,000 in grant funding with the remainder of an amount not to exceed \$20,000 as a 2019 budgeted expense.

Sincerely,



**Doug Finch**, Town Manager

## Revenue / Expense Control Report Parameters

Report ID:	BD RPT 2			
Year:	2018	Include Beg. Encumbrance:	Yes	
Period:	10	To:	10	Apply to Budget Columns: No
Description:	Short	Apply % to Original Budget:	No	
Spacing:	Single	Print Parent Account:	Yes	
Acct Status:	Active	Grand Totals on Separate Page:	No	
Suppress Zero Accts.:	All	Include Req:	No	
Summary Only:	Yes	Use Alt Fund:	No	
% Fiscal Year:	100	Exclude Rev Brackets:	Yes	

Account Table:

Alt. Sort Table:

Sort:	Sort	Subtotal	Page Break	Subheading
1	Fund	Yes	No	Yes
2	Type	Yes	No	Yes
3	Function	Yes	No	No
Subtotal/Page Break Expenses Only:		No		

# TOWN OF CANANDAIGUA

## Revenue / Expense Control Report

Fiscal Year: 2018 Period From: 10 To: 10

		Original Budget	YTD Adjusted Budget	Curr. Month Total Rev / Exp	YTD Actual Rev / Exp	YTD Available Balance	Percent Rev/Exp Balance
<b>Fund A</b>	<b>GENERAL FUND</b>						
<b>Type R</b>	<b>Revenue</b>						
Function 1001	REAL PROPERTY TAXES	294,637.00	294,637.00	0.00	293,972.62	664.38	99.77
Function 1030	IN LIEU OF TAXES	18,827.00	18,827.00	0.00	18,941.36	(114.36)	100.61
Function 1090	PENALTY ON TAXES	12,000.00	12,000.00	0.00	11,495.06	504.94	95.79
Function 1120	NON PROPERTY SALES TAX	1,600,000.00	1,710,000.00	582,877.53	1,528,022.15	181,977.85	89.36
Function 1170	CABLE TV FRANCHISE FEES	75,000.00	75,000.00	0.00	85,164.54	(10,164.54)	113.55
Function 1255	TOWN CLERK FEES	1,000.00	1,000.00	339.80	2,051.09	(1,051.09)	205.11
Function 1603	VITAL STATISTICS FEE	5,000.00	5,000.00	401.00	3,919.00	1,081.00	78.38
Function 2001	PARK & RECREATION FEES	87,500.00	87,500.00	6,087.00	98,462.46	(10,962.46)	112.53
Function 2110	ZONING FEES	25,000.00	25,000.00	1,850.00	16,500.00	8,500.00	66.00
Function 2120	SOIL EROSION CONTROL	8,000.00	8,000.00	1,350.00	4,200.00	3,800.00	52.50
Function 2148	RETURNED CHECK FEE	20.00	20.00	0.00	25.00	(5.00)	125.00
Function 2192	CEMETERY SERVICES	500.00	500.00	0.00	350.00	150.00	70.00
Function 2302	SERVICES/OTHER GOVERNMENTS	9,000.00	9,000.00	760.00	6,840.00	2,160.00	76.00
Function 2401	INTEREST & EARNINGS	6,000.00	6,000.00	532.03	7,186.48	(1,186.48)	119.77
Function 2410	RENTAL OF REAL PROPERTY	12,460.00	12,460.00	900.00	9,900.00	2,560.00	79.45
Function 2544	DOG LICENSES	18,000.00	18,000.00	1,889.00	15,111.00	2,889.00	83.95
Function 2590	SITE DEVELOPMENT FEES	77,000.00	77,000.00	18,523.40	59,550.18	17,449.82	77.34
Function 2591	CONSTRUCTION DEBRIS FEES	16,000.00	16,000.00	2,402.00	20,850.00	(4,850.00)	130.31
Function 2610	FINES & FORFEITED BAIL	85,000.00	85,000.00	670.00	63,595.00	21,405.00	74.82
Function 2651	RECYCLING REVENUE	15,000.00	15,000.00	1,267.86	16,531.06	(1,531.06)	110.21
Function 2665	SALE OF EQUIPMENT	7,500.00	7,500.00	0.00	8,100.00	(600.00)	108.00
Function 2701	REFUND PRIOR YEARS EXP	0.00	0.00	0.00	2,549.19	(2,549.19)	0.00
Function 2770	MISCELLANEOUS INCOME	2,000.00	2,000.00	7.60	12,801.90	(10,801.90)	640.10
Function 3001	NYS AID PER CAPITA	28,000.00	28,000.00	0.00	28,151.00	(151.00)	100.54
Function 3005	ONTARIO CITY MORTGAGE TAX	260,000.00	260,000.00	0.00	119,788.69	140,211.31	46.07
Function 3089	ST AID.OTHER	35,000.00	35,000.00	48,065.94	48,065.94	(13,065.94)	137.33
Function 3092	ST AID.PLANNING STUDIES	80,000.00	88,192.00	26,564.39	60,511.85	27,680.15	68.61
Function 5031	INTERFUND TRANSFERS	100,000.00	130,000.00	0.00	30,000.00	100,000.00	23.08
Function 9000	APPROPRIATED FUND BALANCE FOR BUDGET	406,317.00	467,317.00	0.00	0.00	467,317.00	0.00
Function 9236	TECHNOLOGY RESERVE FUNDS	0.00	45,000.00	0.00	0.00	45,000.00	0.00
<b>Total Type R</b>	<b>Revenue</b>	<b>3,284,761.00</b>	<b>3,538,953.00</b>	<b>694,487.55</b>	<b>2,572,635.57</b>	<b>966,317.43</b>	<b>72.69</b>

# TOWN OF CANANDAIGUA

## Revenue / Expense Control Report

Fiscal Year: 2018 Period From: 10 To: 10

Fund A Type E	GENERAL FUND Expense	Original Budget	YTD Adjusted Budget	Curr. Month Total Rev / Exp	YTD Actual Rev / Exp	YTD Available Balance	Percent Rev/Exp Balance
Total **TOWN BOARD.PERSONAL SERVICES		19,860.00	19,860.00	1,527.68	16,804.48	3,055.52	84.61
Total **TOWN BOARD.CONTRACTUAL		1,500.00	1,500.00	140.40	1,239.07	260.93	82.60
Function 1010	TOWN BOARD	21,360.00	21,360.00	1,668.08	18,043.55	3,316.45	84.47
Total **JUSTICES.PERSONAL SERVICES		79,432.00	79,432.00	5,631.38	62,825.54	16,606.46	79.09
Total **JUSTICES.EQUIPMENT		1,000.00	1,000.00	0.00	0.00	1,000.00	0.00
Total **JUSTICES.CONTRACTUAL		16,185.00	16,185.00	0.00	7,215.81	8,969.19	44.58
Function 1110	JUSTICES	96,617.00	96,617.00	5,631.38	70,041.35	26,575.65	72.49
Total **SUPERVISOR.PERSONAL SERVICES		49,591.00	44,284.99	1,215.03	38,515.68	5,769.31	86.97
Total **SUPERVISOR.EQUIPMENT		0.00	0.00	0.00	0.00	0.00	0.00
Total **SUPERVISOR.CONTRACTUAL		2,100.00	2,100.00	301.60	516.20	1,583.80	24.58
Function 1220	SUPERVISOR	51,691.00	46,384.99	1,516.63	39,031.88	7,353.11	84.15
Total **TOWN MANAGER.PERSONAL SERVICES		92,597.00	92,597.00	7,122.84	78,351.24	14,245.76	84.62
Total **TOWN MANAGER.EQUIPMENT		0.00	0.00	0.00	0.00	0.00	0.00
Total **TOWN MANAGER.CONTRACTUAL		5,000.00	5,500.00	1,523.46	5,017.06	482.94	91.22
Function 1230	TOWN MANAGER	97,597.00	98,097.00	8,646.30	83,368.30	14,728.70	84.99
Total **AUDITOR.CONTRACTUAL		11,000.00	11,000.00	0.00	10,300.00	700.00	93.64
Function 1320	AUDITOR	11,000.00	11,000.00	0.00	10,300.00	700.00	93.64
Total **BUDGET OFFICER.PERSONAL SERVICES		3,000.00	3,000.00	230.78	2,538.58	461.42	84.62
Total **BUDGET OFFICER.CONTRACTUAL		27,000.00	27,000.00	2,000.00	18,900.00	8,100.00	70.00
Function 1340	BUDGET OFFICER	30,000.00	30,000.00	2,230.78	21,438.58	8,561.42	71.46
Total **PURCHASING.CONTRACTUAL		4,000.00	4,000.00	24.87	1,034.00	2,966.00	25.85
Function 1345	PURCHASING	4,000.00	4,000.00	24.87	1,034.00	2,966.00	25.85
Total **ASSESSOR.PERSONAL SERVICES		111,942.00	111,942.00	8,456.36	92,447.36	19,494.64	82.59
Total **ASSESSOR.EQUIPMENT		500.00	500.00	0.00	0.00	500.00	0.00
Total **ASSESSOR.CONTRACTUAL		35,080.00	35,080.00	496.37	15,221.99	19,858.01	43.39
Function 1355	ASSESSOR	147,522.00	147,522.00	8,952.73	107,669.35	39,852.65	72.99
Total **TOWN CLERK.PERSONAL SERVICES		122,763.00	122,763.00	8,968.36	93,388.15	29,374.85	76.07
Total **TOWN CLERK.EQUIPMENT		850.00	850.00	0.00	138.00	712.00	16.24
Total **TOWN CLERK.CONTRACTUAL		11,732.00	11,732.00	292.31	6,806.26	4,925.74	58.01



# TOWN OF CANANDAIGUA

## Revenue / Expense Control Report

Fiscal Year: 2018 Period From: 10 To: 10

Fund A Type E	GENERAL FUND Expense	Original Budget	YTD Adjusted Budget	Curr. Month Total Rev / Exp	YTD Actual Rev / Exp	YTD Available Balance	Percent Rev/Exp Balance
Total **CENTRAL DATA PROCESSING.EQUIPMENT		25,000.00	70,000.00	785.71	33,625.65	36,374.35	48.04
Total **CENTRAL DATA PROCESSING.CONTRACTUAL		41,940.00	41,940.00	1,870.47	34,030.55	7,909.45	81.14
Function 1680	CENTRAL DATA PROCESSING	66,940.00	111,940.00	2,656.18	67,656.20	44,283.80	60.44
Function 1910	UNALLOCATED INSURANCE	120,000.00	120,000.00	0.00	83,643.20	36,356.80	69.70
Function 1920	MUNICIPAL ASSOCIATION DUES	1,850.00	1,850.00	0.00	1,350.00	500.00	72.97
Function 1940	PURCHASE OF LAND	50,000.00	80,000.00	0.00	31,041.66	48,958.34	38.80
Function 1990	CONTINGENCY	100,000.00	98,528.80	0.00	0.00	98,528.80	0.00
Total **TRAFFIC.EQUIPMENT		0.00	0.00	0.00	0.00	0.00	0.00
Total **TRAFFIC.CONTRACTUAL		99,923.00	99,923.00	27,295.72	56,463.43	43,459.57	56.51
Function 3310	TRAFFIC	99,923.00	99,923.00	27,295.72	56,463.43	43,459.57	56.51
Total **DOG CONTROL.CONTRACTUAL		22,000.00	22,422.00	0.00	22,422.00	0.00	100.00
Function 3510	DOG CONTROL	22,000.00	22,422.00	0.00	22,422.00	0.00	100.00
Total **REGISTRAR.PERSONAL SERVICES		2,300.00	2,300.00	0.00	1,600.00	700.00	69.57
Total **REGISTRAR.CONTRACTUAL		235.00	235.00	39.65	39.65	195.35	16.87
Function 4020	REGISTRAR	2,535.00	2,535.00	39.65	1,639.65	895.35	64.68
Total **AMBULANCE.CONTRACTUAL		4,000.00	4,000.00	0.00	4,000.00	0.00	100.00
Function 4540	MERCY FLIGHT	4,000.00	4,000.00	0.00	4,000.00	0.00	100.00
Total **HIGHWAY.PERSONAL SERVICES		108,883.00	108,883.00	7,921.62	89,964.96	18,918.04	82.63
Total **HIGHWAY.EQUIPMENT		0.00	0.00	0.00	0.00	0.00	0.00
Total **HIGHWAY.CONTRACTUAL		0.00	0.00	0.00	0.00	0.00	0.00
Function 5010	HIGHWAY	108,883.00	108,883.00	7,921.62	89,964.96	18,918.04	82.63
Total **STREET LIGHTING.CONTRACTUAL		40,500.00	40,500.00	2,175.18	22,323.49	18,176.51	55.12
Function 5182	STREET LIGHTING	40,500.00	40,500.00	2,175.18	22,323.49	18,176.51	55.12
Total **PUBLICITY.CONTRACTUAL		1,700.00	1,749.20	0.00	1,749.20	0.00	100.00
Function 6410	PUBLICITY	1,700.00	1,749.20	0.00	1,749.20	0.00	100.00
Total **ECONOMIC DEVELOPMENT.CONTRACTUAL		25,000.00	24,500.00	0.00	3,171.62	21,328.38	12.95
Function 6989	ECONOMIC DEVELOPMENT	25,000.00	24,500.00	0.00	3,171.62	21,328.38	12.95

# TOWN OF CANANDAIGUA

## Revenue / Expense Control Report

Fiscal Year: 2018 Period From: 10 To: 10

Fund A Type E	GENERAL FUND Expense	Original Budget	YTD Adjusted Budget	Curr. Month Total Rev / Exp	YTD Actual Rev / Exp	YTD Available Balance	Percent Rev/Exp Balance
Total **RECREATION.PERSONAL SERVICES		26,010.00	26,010.00	2,000.76	22,008.36	4,001.64	84.61
Total **RECREATION.CONTRACTUAL		2,200.00	2,409.84	702.45	2,409.84	0.00	100.00
Function 7020	RECREATION	28,210.00	28,419.84	2,703.21	24,418.20	4,001.64	85.92
Total **PARK.PERSONAL SERVICES		125,298.00	125,298.00	4,798.74	102,577.70	22,720.30	81.87
Total **PARK.EQUIPMENT		120,250.00	146,250.00	11,118.08	88,833.72	57,416.28	60.74
Total **PARK.CONTRACTUAL		79,200.00	79,200.00	9,507.08	67,566.58	11,633.42	85.31
Function 7110	PARK	324,748.00	350,748.00	25,423.90	258,978.00	91,770.00	73.84
Total **PLAYGROUND/RECREATION.PERSONAL SERVICES		56,250.00	56,250.00	0.00	47,306.92	8,943.08	84.10
Total **PLAYGROUND/RECREATION.EQUIPMENT		0.00	0.00	0.00	0.00	0.00	0.00
Total **PLAYGROUND/RECREATION.CONTRACTUAL		16,300.00	16,090.16	0.00	14,906.43	1,183.73	92.64
Function 7140	PLAYGROUND/RECREATION	72,550.00	72,340.16	0.00	62,213.35	10,126.81	86.00
Total **MUSEUM.CONTRACTUAL		10,000.00	10,000.00	0.00	10,000.00	0.00	100.00
Function 7450	MUSEUM	10,000.00	10,000.00	0.00	10,000.00	0.00	100.00
Total **HISTORIAN.PERSONAL SERVICES		3,183.00	3,183.00	0.00	2,340.75	842.25	73.54
Total **HISTORIAN.CONTRACTUAL		1,100.00	1,100.00	0.00	231.60	868.40	21.05
Function 7510	HISTORIAN	4,283.00	4,283.00	0.00	2,572.35	1,710.65	60.06
Total **CELEBRATIONS.CONTRACTUAL		3,500.00	4,500.00	200.00	3,277.84	1,222.16	72.84
Function 7550	CELEBRATIONS	3,500.00	4,500.00	200.00	3,277.84	1,222.16	72.84
Total **ZONING.PERSONAL SERVICES		110,106.00	112,106.00	8,371.31	88,287.09	23,818.91	78.75
Total **ZONING.EQUIPMENT		21,200.00	24,200.00	0.00	23,990.00	210.00	99.13
Total **ZONING.CONTRACTUAL		2,200.00	2,200.00	15.00	826.74	1,373.26	37.58
Function 8010	ZONING	133,506.00	138,506.00	8,386.31	113,103.83	25,402.17	81.66
Total **PLANNING.PERSONAL SERVICES		24,100.00	24,600.00	477.36	18,687.78	5,912.22	75.97
Total **PLANNING.CONTRACTUAL		121,750.00	136,118.00	3,376.71	95,888.32	40,229.68	70.44
Function 8020	PLANNING	145,850.00	160,718.00	3,854.07	114,576.10	46,141.90	71.29
Total **ZONING BOARD/APPEALS.PERSONAL SERVICES		6,657.00	6,157.00	123.08	4,595.15	1,561.85	74.63
Total **ZONING BOARD/APPEALS.CONTRACTUAL		18,000.00	15,324.00	1,961.34	4,606.48	10,717.52	30.06



# TOWN OF CANANDAIGUA

## Revenue / Expense Control Report

Fiscal Year: 2018 Period From: 10 To: 10

		Original Budget	YTD Adjusted Budget	Curr. Month Total Rev / Exp	YTD Actual Rev / Exp	YTD Available Balance	Percent Rev/Exp Balance
<b>Fund A</b>	<b>GENERAL FUND</b>						
<b>Type E</b>	<b>Expense</b>						
Function 8040	ZONING BOARD/APPEALS	24,657.00	21,481.00	2,084.42	9,201.63	12,279.37	42.84
Total **STORMSEWERS.PERSONAL SERVICES		0.00	0.00	0.00	0.00	0.00	0.00
Total **STORMSEWERS.EQUIPMENT		1,000.00	1,000.00	0.00	0.00	1,000.00	0.00
Total **STORMSEWERS.CONTRACTUAL		1,500.00	1,500.00	0.00	80.00	1,420.00	5.33
Function 8140	STORMSEWERS	2,500.00	2,500.00	0.00	80.00	2,420.00	3.20
Total **WASTE & RECYCLING.PERSONAL SERVICES		78,164.00	78,164.00	5,152.58	54,813.72	23,350.28	70.13
Total **WASTE & RECYCLING.EQUIPMENT		37,100.00	37,100.00	0.00	37,100.00	0.00	100.00
Total **WASTE & RECYCLING.CONTRACTUAL		88,750.00	88,750.00	5,737.46	53,772.33	34,977.67	60.59
Function 8160	WASTE & RECYCLING	204,014.00	204,014.00	10,890.04	145,686.05	58,327.95	71.41
Total **CODE ENFORCEMENT.PERSONAL SERVICES		142,100.00	142,100.00	10,735.76	119,023.36	23,076.64	83.76
Total **CODE ENFORCEMENT.EQUIPMENT		1,500.00	500.00	0.00	0.00	500.00	0.00
Total **CODE ENFORCEMENT.CONTRACTUAL		7,315.00	7,315.00	99.40	2,899.54	4,415.46	39.64
Function 8664	CODE ENFORCEMENT	150,915.00	149,915.00	10,835.16	121,922.90	27,992.10	81.33
Total **CEMETERIES.EQUIPMENT		0.00	0.00	0.00	0.00	0.00	0.00
Total **CEMETERIES.CONTRACTUAL		11,000.00	11,000.00	900.00	3,750.00	7,250.00	34.09
Function 8810	CEMETERIES	11,000.00	11,000.00	900.00	3,750.00	7,250.00	34.09
Total **CDGA LAKE MGT PLAN.CONTRACTUAL		29,000.00	29,000.00	0.00	21,159.00	7,841.00	72.96
Function 8989	OTHER SERVICES	29,000.00	29,000.00	0.00	21,159.00	7,841.00	72.96
Function 9010	NYS RETIREMENT	122,000.00	122,000.00	0.00	0.00	122,000.00	0.00
Function 9030	SOCIAL SECURITY	90,000.00	90,000.00	5,853.28	74,109.06	15,890.94	82.34
Function 9040	WORKERS COMPENSATION	44,500.00	44,500.00	0.00	43,292.60	1,207.40	97.29
Function 9050	UNEMPLOYMENT INSURANCE	12,000.00	12,000.00	0.00	566.25	11,433.75	4.72
Function 9055	DISABILITY INSURANCE	2,500.00	2,500.00	741.28	1,810.44	689.56	72.42
Function 9060	HOSPITAL/MEDICAL INSURANCE	200,000.00	200,000.00	13,999.02	163,180.83	36,819.17	81.59
Total **SERIAL BONDS.PRINCIPAL		0.00	0.00	0.00	0.00	0.00	0.00
Total **SERIAL BONDS.INTEREST		0.00	110,000.00	0.00	0.00	110,000.00	0.00
Function 9710	SERIAL BONDS	0.00	110,000.00	0.00	0.00	110,000.00	0.00
<b>Total Type E</b>	<b>Expense</b>	<b>3,284,761.00</b>	<b>3,538,953.00</b>	<b>187,862.93</b>	<b>2,254,695.16</b>	<b>1,284,257.84</b>	<b>63.71</b>
<b>Total Fund A</b>	<b>GENERAL FUND</b>	<b>0.00</b>	<b>0.00</b>	<b>506,624.62</b>	<b>317,940.41</b>	<b>(317,940.41)</b>	<b>0.00</b>

# TOWN OF CANANDAIGUA

## Revenue / Expense Control Report

Fiscal Year: 2018 Period From: 10 To: 10

		Original Budget	YTD Adjusted Budget	Curr. Month Total Rev / Exp	YTD Actual Rev / Exp	YTD Available Balance	Percent Rev/Exp Balance
<b>Fund CL</b>	<b>LOCAL SOLID WASTE MANAGMENT PLAN</b>						
<b>Type R</b>	<b>Revenue</b>						
Function 2655	SALES - OTHER - REPAIRS/REPLACEMENTS	0.00	0.00	360.00	960.00	(960.00)	0.00
Function 2797	OTHER LOCAL GOVERNMENTS	0.00	89,680.00	0.00	89,680.64	(0.64)	100.00
<b>Total Type R</b>	<b>Revenue</b>	<b>0.00</b>	<b>89,680.00</b>	<b>360.00</b>	<b>90,640.64</b>	<b>(960.64)</b>	<b>101.07</b>
<b>Type E</b>	<b>Expense</b>						
Function 1480	PUBLICSERVINFORM.CONTRACTUAL	0.00	50,000.00	2,730.00	6,769.90	43,230.10	13.54
Function 8160	WASTE & RECYCLING	0.00	39,680.00	50.00	20,607.94	19,072.06	51.94
<b>Total Type E</b>	<b>Expense</b>	<b>0.00</b>	<b>89,680.00</b>	<b>2,780.00</b>	<b>27,377.84</b>	<b>62,302.16</b>	<b>30.53</b>
<b>Total Fund CL</b>	<b>LOCAL SOLID WASTE MANAGMENT PLAN</b>	<b>0.00</b>	<b>0.00</b>	<b>(2,420.00)</b>	<b>63,262.80</b>	<b>(63,262.80)</b>	<b>0.00</b>
<b>Fund CM</b>	<b>MISCELLANEOUS (SPECIFY)</b>						
<b>Type R</b>	<b>Revenue</b>						
Function 2001	PARK & RECREATION FEES	60,000.00	60,000.00	8,000.00	24,000.00	36,000.00	40.00
Function 2401	INTEREST & EARNINGS	0.00	0.00	56.43	519.43	(519.43)	0.00
Function 9000	APPROPRIATED FUND BALANCE FOR BUDGET	40,000.00	70,000.00	0.00	0.00	70,000.00	0.00
<b>Total Type R</b>	<b>Revenue</b>	<b>100,000.00</b>	<b>130,000.00</b>	<b>8,056.43</b>	<b>24,519.43</b>	<b>105,480.57</b>	<b>18.86</b>
<b>Type E</b>	<b>Expense</b>						
Function 9901	INTERFUND TRANSFER	100,000.00	130,000.00	0.00	30,000.00	100,000.00	23.08
<b>Total Type E</b>	<b>Expense</b>	<b>100,000.00</b>	<b>130,000.00</b>	<b>0.00</b>	<b>30,000.00</b>	<b>100,000.00</b>	<b>23.08</b>
<b>Total Fund CM</b>	<b>MISCELLANEOUS (SPECIFY)</b>	<b>0.00</b>	<b>0.00</b>	<b>8,056.43</b>	<b>(5,480.57)</b>	<b>5,480.57</b>	<b>0.00</b>
<b>Fund D</b>	<b>HIGHWAY FUND</b>						
<b>Type R</b>	<b>Revenue</b>						
Function 1001	REAL PROPERTY TAXES	865,343.00	865,343.00	0.00	865,343.00	0.00	100.00
Function 1120	NON PROPERTY SALES TAX	2,585,000.00	2,475,000.00	646,250.00	1,902,083.33	572,916.67	76.85
Function 2302	SERVICES/OTHER GOVERNMENTS	135,000.00	135,000.00	205.80	137,797.80	(2,797.80)	102.07
Function 2665	SALE OF EQUIPMENT	130,000.00	130,000.00	0.00	31,101.00	98,899.00	23.92
Function 2680	INSURANCE RECOVERIES	0.00	0.00	0.00	243.05	(243.05)	0.00
Function 3501	NYS STATE AID CHIPS	291,000.00	299,582.00	0.00	0.00	299,582.00	0.00
Function 3589	OTHER STATE AID	100,000.00	100,000.00	0.00	100,000.00	0.00	100.00
Function 5031	INTERFUND TRANSFERS	100,000.00	100,000.00	0.00	0.00	100,000.00	0.00
Function 9000	APPROPRIATED FUND BALANCE FOR BUDGET	484,107.00	484,107.00	0.00	0.00	484,107.00	0.00
Function 9231	HIGHWAY EQUIPMENT RESERVE	0.00	192,890.97	0.00	0.00	192,890.97	0.00

# TOWN OF CANANDAIGUA

## Revenue / Expense Control Report

Fiscal Year: 2018 Period From: 10 To: 10

		Original Budget	YTD Adjusted Budget	Curr. Month Total Rev / Exp	YTD Actual Rev / Exp	YTD Available Balance	Percent Rev/Exp Balance
<b>Fund D</b>	<b>HIGHWAY FUND</b>						
<b>Type R</b>	<b>Revenue</b>						
<b>Total Type R</b>	<b>Revenue</b>	<b>4,690,450.00</b>	<b>4,781,922.97</b>	<b>646,455.80</b>	<b>3,036,568.18</b>	<b>1,745,354.79</b>	<b>63.50</b>
<b>Type E</b>	<b>Expense</b>						
Total **HWY.CONTRACTUAL		51,650.00	58,764.90	1,410.50	25,599.62	33,165.28	43.56
Function 1710	HWY LEGAL, ENGINEERING	51,650.00	58,764.90	1,410.50	25,599.62	33,165.28	43.56
Total **GENERAL REPAIRS.PERSONAL SERVICES		568,000.00	568,000.00	63,857.06	404,610.52	163,389.48	71.23
Total **GENERAL REPAIRS.EQUIPMENT		0.00	0.00	0.00	0.00	0.00	0.00
Total **GENERAL REPAIRS.CONTRACTUAL		1,688,300.00	1,688,300.00	214,159.71	1,145,413.13	542,886.87	67.84
Function 5110	GENERAL REPAIRS	2,256,300.00	2,256,300.00	278,016.77	1,550,023.65	706,276.35	68.70
Total **MACHINERY.EQUIPMENT		692,500.00	775,390.97	2,124.80	218,185.37	557,205.60	28.14
Total ***MACHINERY.CONTRACTUAL		233,350.00	233,350.00	39,324.75	187,936.85	45,413.15	80.54
Total **MACHINERY.CONTRACTUAL		454,100.00	454,100.00	48,063.98	307,197.34	146,902.66	67.65
Function 5130	MACHINERY	1,146,600.00	1,229,490.97	50,188.78	525,382.71	704,108.26	42.73
Total **SNOW REMOVAL.PERSONAL SERVICES		368,000.00	368,000.00	0.00	277,211.44	90,788.56	75.33
Total **SNOW REMOVAL.CONTRACTUAL		400,000.00	400,000.00	0.00	319,409.92	80,590.08	79.85
Function 5142	SNOW REMOVAL	768,000.00	768,000.00	0.00	596,621.36	171,378.64	77.69
Function 9010	NYS RETIREMENT	165,000.00	165,000.00	0.00	0.00	165,000.00	0.00
Function 9030	SOCIAL SECURITY	65,000.00	65,000.00	4,753.26	52,739.05	12,260.95	81.14
Function 9040	WORKERS COMPENSATION	33,500.00	34,967.10	0.00	34,967.10	0.00	100.00
Function 9050	UNEMPLOYMENT INSURANCE	2,000.00	2,000.00	0.00	0.00	2,000.00	0.00
Function 9055	DISABILITY INSURANCE	500.00	500.00	104.92	319.64	180.36	63.93
Function 9060	HOSPITAL/MEDICAL INSURANCE	201,900.00	201,900.00	12,771.83	150,891.32	51,008.68	74.74
<b>Total Type E</b>	<b>Expense</b>	<b>4,690,450.00</b>	<b>4,781,922.97</b>	<b>347,246.06</b>	<b>2,936,544.45</b>	<b>1,845,378.52</b>	<b>61.41</b>
<b>Total Fund D</b>	<b>HIGHWAY FUND</b>	<b>0.00</b>	<b>0.00</b>	<b>299,209.74</b>	<b>100,023.73</b>	<b>(100,023.73)</b>	<b>0.00</b>
<b>Fund H</b>	<b>CAPITAL PROJECTS</b>						
<b>Type R</b>	<b>Revenue</b>						
Function 2397	CAPITAL PROJECTS - OTHER GOVT	0.00	75,000.00	0.00	0.00	75,000.00	0.00
Function 2710	PREMIUM & ACCRUED INTEREST ON OBLIGATION	0.00	(39,400.00)	0.00	70,000.00	(109,400.00)	(177.66)
Function 3097	STATE AID CAPITAL	0.00	137,465.00	0.00	37,342.65	100,122.35	27.17
Function 5031	INTERFUND TRANSFERS	0.00	368,400.00	0.00	0.00	368,400.00	0.00
Function 5710	SERIAL BONDS	0.00	0.00	0.00	3,430,000.00	(3,430,000.00)	0.00

# TOWN OF CANANDAIGUA

## Revenue / Expense Control Report

Fiscal Year: 2018 Period From: 10 To: 10

		Original Budget	YTD Adjusted Budget	Curr. Month Total Rev / Exp	YTD Actual Rev / Exp	YTD Available Balance	Percent Rev/Exp Balance
<b>Fund H</b>	<b>CAPITAL PROJECTS</b>						
<b>Type R</b>	<b>Revenue</b>						
Function 5730	BOND ANTICIPATION NOTES	0.00	12,769,045.00	0.00	0.00	12,769,045.00	0.00
<b>Total Type R</b>	<b>Revenue</b>	<b>0.00</b>	<b>13,310,510.00</b>	<b>0.00</b>	<b>3,537,342.65</b>	<b>9,773,167.35</b>	<b>26.58</b>
<b>Type E</b>	<b>Expense</b>						
Total **FISCAL AGENT FEES.CONTRACTUAL.WATER DISTRICT UPGRADES		0.00	270,500.00	0.00	355.00	270,145.00	0.13
Function 1380	FISCAL AGENT FEES	0.00	329,299.69	0.00	15,794.44	313,505.25	4.80
Total **ATTORNEY.CONTRACTUAL.WATER DISTRICT UPGRADES		0.00	150,000.00	0.00	0.00	150,000.00	0.00
Function 1420	ATTORNEY	0.00	203,945.99	6,123.55	7,773.55	196,172.44	3.81
Total **ENGINEERING.EXPENSE.OUTHOUSE PARK		0.00	0.00	0.00	0.00	0.00	0.00
Total **ENGINEERING.EXPENSE.OUTHOUSE PARK		0.00	0.00	0.00	0.00	0.00	0.00
Function 1440	ENGINEERING	0.00	1,188,759.32	7,317.72	134,134.84	1,054,624.48	11.28
Function 1620	BUILDINGS	0.00	187,000.00	0.00	171,295.51	15,704.49	91.60
Function 1940	PURCHASE OF LAND	0.00	98,787.90	0.00	54,002.39	44,785.51	54.66
Function 1989	ADMINISTRATION	0.00	128,154.51	0.00	490.44	127,664.07	0.38
Function 1990	CONTINGENCY	0.00	39,890.00	0.00	0.00	39,890.00	0.00
Function 1997	CONTINGENCY	0.00	781,437.80	0.00	0.00	781,437.80	0.00
Function 5132	HWY GARAGE	0.00	2,223,821.52	0.00	1,906,532.00	317,289.52	85.73
Total **WATER ADMINISTRATOR.CAPITAL.WATER DISTRICT UPGRADES		0.00	5,568,000.00	0.00	0.00	5,568,000.00	0.00
Function 8310	WATER ADMINISTRATOR	0.00	5,568,000.00	0.00	0.00	5,568,000.00	0.00
Function 8397	WATER CAPITAL PROJECTS	0.00	306,525.00	0.00	61,892.79	244,632.21	20.19
Function 8597	DRAIN & STORM, EQUIP & CAPITAL OUTLAY	0.00	182,488.81	0.00	69,019.24	113,469.57	37.82
Function 9730	BOND ANTICIPATION NOTES	0.00	0.00	0.00	99,722.22	(99,722.22)	0.00
<b>Total Type E</b>	<b>Expense</b>	<b>0.00</b>	<b>11,238,110.54</b>	<b>13,441.27</b>	<b>2,520,657.42</b>	<b>8,717,453.12</b>	<b>22.43</b>
<b>Total Fund H</b>	<b>CAPITAL PROJECTS</b>	<b>0.00</b>	<b>2,072,399.46</b>	<b>(13,441.27)</b>	<b>1,016,685.23</b>	<b>1,055,714.23</b>	<b>49.06</b>
<b>Fund S</b>	<b>WATER DISTRICTS</b>						
<b>Type R</b>	<b>Revenue</b>						
Function 1001	REAL PROPERTY TAXES	728,039.00	728,039.00	0.00	728,039.00	0.00	100.00
Function 1030	IN LIEU OF TAXES	16,783.00	16,783.00	0.00	16,783.00	0.00	100.00
Function 2140	WATER RENTS	600,000.00	600,000.00	1,018.25	492,475.69	107,524.31	82.08

# TOWN OF CANANDAIGUA

## Revenue / Expense Control Report

Fiscal Year: 2018 Period From: 10 To: 10

		Original Budget	YTD Adjusted Budget	Curr. Month Total Rev / Exp	YTD Actual Rev / Exp	YTD Available Balance	Percent Rev/Exp Balance
<b>Fund S</b>	<b>WATER DISTRICTS</b>						
<b>Type R</b>	<b>Revenue</b>						
Function 2142	WATER METER SALES	2,200.00	2,200.00	267.50	1,735.75	464.25	78.90
Function 2144	WATER SERVICES	20,000.00	20,000.00	2,750.00	17,435.48	2,564.52	87.18
Function 2148	RETURNED CHECK FEE	5,000.00	5,000.00	64.63	3,707.53	1,292.47	74.15
Function 2655	SALES - OTHER - REPAIRS/REPLACEMENTS	0.00	0.00	0.00	1,386.75	(1,386.75)	0.00
Function 2701	REFUND PRIOR YEARS EXP	0.00	0.00	0.00	2,420.56	(2,420.56)	0.00
Function 2770	MISCELLANEOUS INCOME	45,780.00	45,780.00	0.00	48,097.05	(2,317.05)	105.06
Function 5031	INTERFUND TRANSFERS	402,353.00	402,353.00	0.00	148,133.33	254,219.67	36.82
Function 9000	APPROPRIATED FUND BALANCE FOR BUDGET	13,785.00	855,925.26	0.00	0.00	855,925.26	0.00
<b>Total Type R</b>	<b>Revenue</b>	<b>1,833,940.00</b>	<b>2,676,080.26</b>	<b>4,100.38</b>	<b>1,460,214.14</b>	<b>1,215,866.12</b>	<b>54.57</b>
<b>Type E</b>	<b>Expense</b>						
Function 1380	FISCAL AGENT FEES	1,500.00	1,500.00	0.00	0.00	1,500.00	0.00
Function 8310	WATER ADMINISTRATOR	343,580.00	674,720.26	14,135.13	335,284.06	339,436.20	49.69
Function 8320	WATER PURCHASES	476,000.00	476,000.00	151,000.87	376,621.08	99,378.92	79.12
Function 8340	SERVICES & MAINTENANCE	155,220.00	151,220.00	12,579.89	122,058.25	29,161.75	80.72
Function 8350	COMMON WATER	274,783.00	274,783.00	0.00	234,288.94	40,494.06	85.26
Function 8397	WATER CAPITAL PROJECTS	0.00	515,000.00	47,841.80	47,841.80	467,158.20	9.29
Function 9010	NYS RETIREMENT	19,000.00	19,000.00	0.00	0.00	19,000.00	0.00
Function 9030	SOCIAL SECURITY	12,000.00	12,000.00	702.24	8,068.24	3,931.76	67.24
Function 9040	WORKERS COMPENSATION	5,900.00	5,650.00	0.00	4,995.30	654.70	88.41
Function 9050	UNEMPLOYMENT INSURANCE	500.00	500.00	0.00	0.00	500.00	0.00
Function 9055	DISABILITY INSURANCE	100.00	100.00	14.64	43.92	56.08	43.92
Function 9060	HOSPITAL/MEDICAL INSURANCE	24,700.00	24,950.00	1,294.45	20,284.57	4,665.43	81.30
Function 9710	SERIAL BONDS	118,271.00	118,271.00	0.00	56,331.00	61,940.00	47.63
Function 9903	TRANSFER/WATER-MAINTENANCE	402,386.00	402,386.00	0.00	96,368.00	306,018.00	23.95
<b>Total Type E</b>	<b>Expense</b>	<b>1,833,940.00</b>	<b>2,676,080.26</b>	<b>227,569.02</b>	<b>1,302,185.16</b>	<b>1,373,895.10</b>	<b>48.66</b>
<b>Total Fund S</b>	<b>WATER DISTRICTS</b>	<b>0.00</b>	<b>0.00</b>	<b>(223,468.64)</b>	<b>158,028.98</b>	<b>(158,028.98)</b>	<b>0.00</b>
<b>Fund SD</b>	<b>DRAINAGE DISTRICTS</b>						
<b>Type R</b>	<b>Revenue</b>						
Function 1030	IN LIEU OF TAXES	15,559.00	15,559.00	0.00	15,559.00	0.00	100.00
Function 9000	APPROPRIATED FUND BALANCE FOR BUDGET	75,000.00	78,767.85	0.00	0.00	78,767.85	0.00
<b>Total</b>							

# TOWN OF CANANDAIGUA

## Revenue / Expense Control Report

Fiscal Year: 2018 Period From: 10 To: 10

		Original Budget	YTD Adjusted Budget	Curr. Month Total Rev / Exp	YTD Actual Rev / Exp	YTD Available Balance	Percent Rev/Exp Balance
<b>Fund SD</b>	<b>DRAINAGE DISTRICTS</b>						
<b>Type R</b>	<b>Revenue</b>						
<b>Type R</b>	<b>Revenue</b>	90,559.00	94,326.85	0.00	15,559.00	78,767.85	16.49
<b>Type E</b>	<b>Expense</b>						
Function 8520	MAINTENANCE	90,559.00	94,326.85	0.00	8,767.85	85,559.00	9.30
<b>Total Type E</b>	<b>Expense</b>	<u>90,559.00</u>	<u>94,326.85</u>	<u>0.00</u>	<u>8,767.85</u>	<u>85,559.00</u>	<u>9.30</u>
<b>Total Fund SD</b>	<b>DRAINAGE DISTRICTS</b>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>6,791.15</u>	<u>(6,791.15)</u>	<u>0.00</u>
<b>Fund SF</b>	<b>FIRE PROTECTION DISTRICTS</b>						
<b>Type R</b>	<b>Revenue</b>						
Function 1001	REAL PROPERTY TAXES	947,096.00	947,096.00	0.00	947,096.00	0.00	100.00
Function 9000	APPROPRIATED FUND BALANCE FOR BUDGET	0.00	25,000.00	0.00	0.00	25,000.00	0.00
<b>Total Type R</b>	<b>Revenue</b>	<u>947,096.00</u>	<u>972,096.00</u>	<u>0.00</u>	<u>947,096.00</u>	<u>25,000.00</u>	<u>97.43</u>
<b>Type E</b>	<b>Expense</b>						
Function 1989	ADMINISTRATION	0.00	25,000.00	0.00	25,000.00	0.00	100.00
Function 3410	FIRE	947,096.00	947,096.00	0.00	947,096.00	0.00	100.00
<b>Total Type E</b>	<b>Expense</b>	<u>947,096.00</u>	<u>972,096.00</u>	<u>0.00</u>	<u>972,096.00</u>	<u>0.00</u>	<u>100.00</u>
<b>Total Fund SF</b>	<b>FIRE PROTECTION DISTRICTS</b>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>(25,000.00)</u>	<u>25,000.00</u>	<u>0.00</u>
<b>Fund SL</b>	<b>LIGHTING DISTRICTS</b>						
<b>Type R</b>	<b>Revenue</b>						
Function 1001	REAL PROPERTY TAXES	16,193.00	16,193.00	0.00	16,193.00	0.00	100.00
Function 9000	APPROPRIATED FUND BALANCE FOR BUDGET	5,060.00	5,060.00	0.00	0.00	5,060.00	0.00
<b>Total Type R</b>	<b>Revenue</b>	<u>21,253.00</u>	<u>21,253.00</u>	<u>0.00</u>	<u>16,193.00</u>	<u>5,060.00</u>	<u>76.19</u>
<b>Type E</b>	<b>Expense</b>						
Function 5182	STREET LIGHTING	21,253.00	21,253.00	1,174.80	10,304.76	10,948.24	48.49
<b>Total Type E</b>	<b>Expense</b>	<u>21,253.00</u>	<u>21,253.00</u>	<u>1,174.80</u>	<u>10,304.76</u>	<u>10,948.24</u>	<u>48.49</u>
<b>Total Fund SL</b>	<b>LIGHTING DISTRICTS</b>	<u>0.00</u>	<u>0.00</u>	<u>(1,174.80)</u>	<u>5,888.24</u>	<u>(5,888.24)</u>	<u>0.00</u>
<b>Fund SS</b>	<b>SANITARY SEWER</b>						
<b>Type R</b>	<b>Revenue</b>						
Function 1030	IN LIEU OF TAXES	18,210.00	18,210.00	0.00	18,210.00	0.00	100.00
<b>Total Type R</b>	<b>Revenue</b>	<u>18,210.00</u>	<u>18,210.00</u>	<u>0.00</u>	<u>18,210.00</u>	<u>0.00</u>	<u>100.00</u>
<b>Type E</b>	<b>Expense</b>						
Function 9710	SERIAL BONDS	18,210.00	18,210.00	0.00	0.00	18,210.00	0.00
<b>Total Type E</b>	<b>Expense</b>	<u>18,210.00</u>	<u>18,210.00</u>	<u>0.00</u>	<u>0.00</u>	<u>18,210.00</u>	<u>0.00</u>
<b>Total Fund SS</b>	<b>SANITARY SEWER</b>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>18,210.00</u>	<u>(18,210.00)</u>	<u>0.00</u>

Date Prepared: 11/08/2018 11:26 AM

Report Date: 11/08/2018

Account Table:

Alt. Sort Table:

# TOWN OF CANANDAIGUA

## Revenue / Expense Control Report

Fiscal Year: 2018 Period From: 10 To: 10

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Prepared By: TINA

	Original Budget	YTD Adjusted Budget	Curr. Month Total Rev / Exp	YTD Actual Rev / Exp	YTD Available Balance	Percent Rev/Exp Balance
<b>Grand Total</b>	<b>0.00</b>	<b>2,072,399.46</b>	<b>573,386.08</b>	<b>1,656,349.97</b>	<b>416,049.49</b>	<b>79.92</b>

**TOWN OF CANANDAIGUA  
CASH SUMMARY  
October 31, 2018**

FUND #	No.	FUND ACCOUNT	10/31/2018	CNB #4328	CNB #4476	CNB #4670	CNB #4425	
			BALANCES				PETTY CASH	DIST. ACCT.
A	200	CASH - CHECKING	28,489.86				28,489.86	
A	202	CASH - INVESTMENTS	3,448,223.25			3,448,223.25		
A	210	PETTY CASH	250.00	250.00				
A	230	CASH - C/T RESERVE - INVESTMENT	-					
A	231	CASH - CONTINGENT/TAX RESERVE	535,000.00			535,000.00		
A	232	CASH - REPAIR RESERVE - INVESTMENT	155,000.00			155,000.00		
A	233	CASH - TECHNOLOGY RESERVE - INVESTMENT	12,402.97			12,402.97		
A	234	CASH - OPEN SPACE RESERVE - INVESTMENT	480,200.00			480,200.00		
A	235	CASH - NYS EMPLOYEE SYST RES. - INVESTMENT	225,000.00			225,000.00		
A	236	CASH - CAMPUS RESERVE	-			-		
CL	200	CASH - CHECKING	-					
CL	202	CASH - LOCAL SOLID WASTE MANANGEMENT PLAN	63,262.80			63,262.80		
CM	201	CASH	781,430.95				781,430.95	
D	200	CASH - CHECKING	25,139.49					
D	202	CASH - INVESTMENTS	1,086,112.68			1,086,112.68		
D	230	CASH - HIGHWAY EQUIP. RESERVE - INVESTMENTS	182,109.03			182,109.03		
D	231	CASH - HIGHWAY EQUIP. RESERVE	-			-		
D	232	CASH - HIGHWAY IMP. RES. - INVESTMENTS	375,000.00			375,000.00		
D	233	CASH - HIGHWAY IMP. RES.	-			-		
D	235	CASH - SNOW/ICE RM/RD REPAIR RESERVE	200,000.00			200,000.00		
F	200	CASH - CHECKING	1,074.10					
F	202	CASH - INVESTMENTS	1,323,632.25			1,323,632.25		
H	200	CASH - CHECKING	(25,281.04)					
H	200.249B	CASH - CHECKING CO RD 32 WATER EXT #41	(35,320.00)					
H	200.25	CASH - CHECKING HWY FACILITY	(2,453.00)					
H	200.26W	CASH - CHECKING WATER DISTRICT UPGRADES	(9,340.00)					
H	202.18	CASH - SUCKER BROOK PROJECT	(102,827.63)			(102,827.63)		
H	201.26A	CASH - WATER DISTRICT UPGRADES	(7,920.00)			(7,920.00)		
H	202.25	CASH - HWY FACILITY PROJECT	(796,366.25)			(796,366.25)		
H	202.NOTT	CASH - NOTT ROAD CAPIAL PROJECT	-					
H	202.249B	CASH - COUNTY RD. 32 W1	116,954.69			116,954.69		
H	202.249C	CASH - WATER DISTRICT EXT 1 #42	(5,927.50)			(5,927.50)		
S	200	CASH - CHECKING	(985.66)					
S	200.247	CASH - CHECKING	32,772.81					
S	202.241A	CASH - INVESTMENTS - ANDREWS-NORTH RD WATER	1,353.81			1,353.81		
S	202.241B	CASH - INVESTMENTS - CANADAIGUA-FARMINGTON WATER	34,894.36			34,894.36		
S	202.245.B	CASH - INVESTMENTS - MCINTYRE RD. WATER	8,387.19			8,387.19		
S	202.246A	CASH - INVESTMENTS - CANADAIGUA-BRISTOL JOINT WATER	58,119.02			58,119.02		
S	202.246B	CASH - INVESTMENTS - EMERSON ALLEN TL RD. WATER	961.53			961.53		
S	202.247	CASH - INVESTMENTS - CANADAIGUA CONSOLIDATED	122,599.05			122,599.05		
S	202.247.B	CASH- INVESTMENTS - EXT. 36 COUNTY RD. #30 WATER	11,765.50			11,765.50		
S	202.248	CASH- INVESTMENTS - RISSER RD. WATER	365.67			365.67		
S	202.248A	CASH- INVESTMENTS - HOPKINS-GRIMBLE WATER	15,432.34			15,432.34		
S	202.248C	CASH- INVESTMENTS - CANANDAIGAU HOPEWELL WATER	67,720.88			67,720.88		
S	202.248D	CASH- INVESTMENTS - HICKOX ROAD WATER DISTRICT	4,249.61			4,249.61		
S	202.249A	CASH - INVESTMENTS - NOTT RD. EXT. #40 WATER	4,969.46			4,969.46		
SD	200	CASH - CHECKING	-					
SD	202.241	CASH - INVESTMENTS - RT. 332 DRAINAGE	170,790.12			170,790.12		
SD	202.241A	CASH - INVESTMENTS - LAKEWOOD MEADOWS DRAINAGE	28,865.31			28,865.31		
SD	202.243	CASH - INVESTMENTS - ASHTON DRAINAGE	14,594.91			14,594.91		
SD	202.244	CASH - INVESTMENTS - FOX RIDGE DRAINAGE	35,135.94			35,135.94		
SD	202.245	CASH - INVESTMENTS - LANDINGS DRAINAGE	7,641.37			7,641.37		
SD	202.246	CASH - INVESTMENTS - OLD BROOKSIDE DRAINAGE	16,996.64			16,996.64		
SD	202.247	CASH - INVESTMENTS - LAKESIDE ESTATES DRAINAGE	9,490.78			9,490.78		
SD	202.248	CASH - INVESTMENTS - WATERFORD POINT DRAINAGE	8,862.77			8,862.77		
SD	202.249	CASH - INVESTMENTS - STABLEGATE DRAINAGE	18,073.73			18,073.73		
SF	200	CASH - CHECKING	-					
SF	202.241	CASH - INVESTMENTS - FIRE PROTECTION DISTRICT	69,726.06			69,726.06		
SL	200	CASH - CHECKING	-					
SL	202.241	CASH - INVESTMENTS - CENTERPOINT LIGHTING	6,279.58			6,279.58		
SL	202.242	CASH - INVESTMENTS - FOX RIDGE LIGHTING	7,727.47			7,727.47		
SL	202.243	CASH - INVESTMENTS - LANDINGS LIGHTING	1,255.18			1,255.18		
SL	202.244	CASH - INVESTMENTS - LAKEMEADOW LIGHTING	3,902.33			3,902.33		
SL	202.245	CASH - INVESTMENTS - FALLBROOK PARK LIGHTING	5,346.38			5,346.38		
SS	202.241	CASH - INVESTMENTS - PURDY ROAD SEWER	18,209.74			18,209.74		
TA	200	CASH	234,076.89				234,076.89	
TE	202	CASH - INVESTMENTS	75,586.69			75,586.69		
V	202.3	CASH - INVESTMENTS - Parrish Rd. Ext. #13	-					
			<b>9,149,014.11</b>	<b>250.00</b>	<b>14,096.56</b>	<b>8,119,159.71</b>	<b>781,430.95</b>	<b>234,076.89</b>
<b>BANK STATEMENT BALANCES</b>			9,163,746.40	250.00	8,609.37	8,136,107.96	781,430.95	237,348.12
<b>DEPOSITS IN TRANSIT</b>			0.04		16,948.25	(16,948.25)	-	0.04
<b>OUTSTANDING CHECKS (Schedule attached)</b>			(14,732.33)		(11,461.06)			(3,271.27)
<b>IDENTIFIED DIFFERENCES TO BE ADJUSTED</b>			-		-	-		
OUTSTANDING TRANSFER			-		-	-		
<b>BALANCE ON KVS BOOKS</b>			<b>9,149,014.11</b>	<b>250.00</b>	<b>14,096.56</b>	<b>8,119,159.71</b>	<b>781,430.95</b>	<b>234,076.89</b>



## CLIENT MEMO

To: Canandaigua Town Board Date: November 8, 2018

Client: Town of Canandaigua

From: Bob Fox, Tina DeNigro, Shelby Bennett

October 2018 Revenue/Expense Control Report for Board

We are providing you with the October 2018 Revenue/Expense Control Reports as of October 31, 2018.

### EXECUTIVE SUMMARY

#### BALANCE SHEET

- Bank statements have been reviewed and reconciled as of October 31, 2018

#### REVENUES

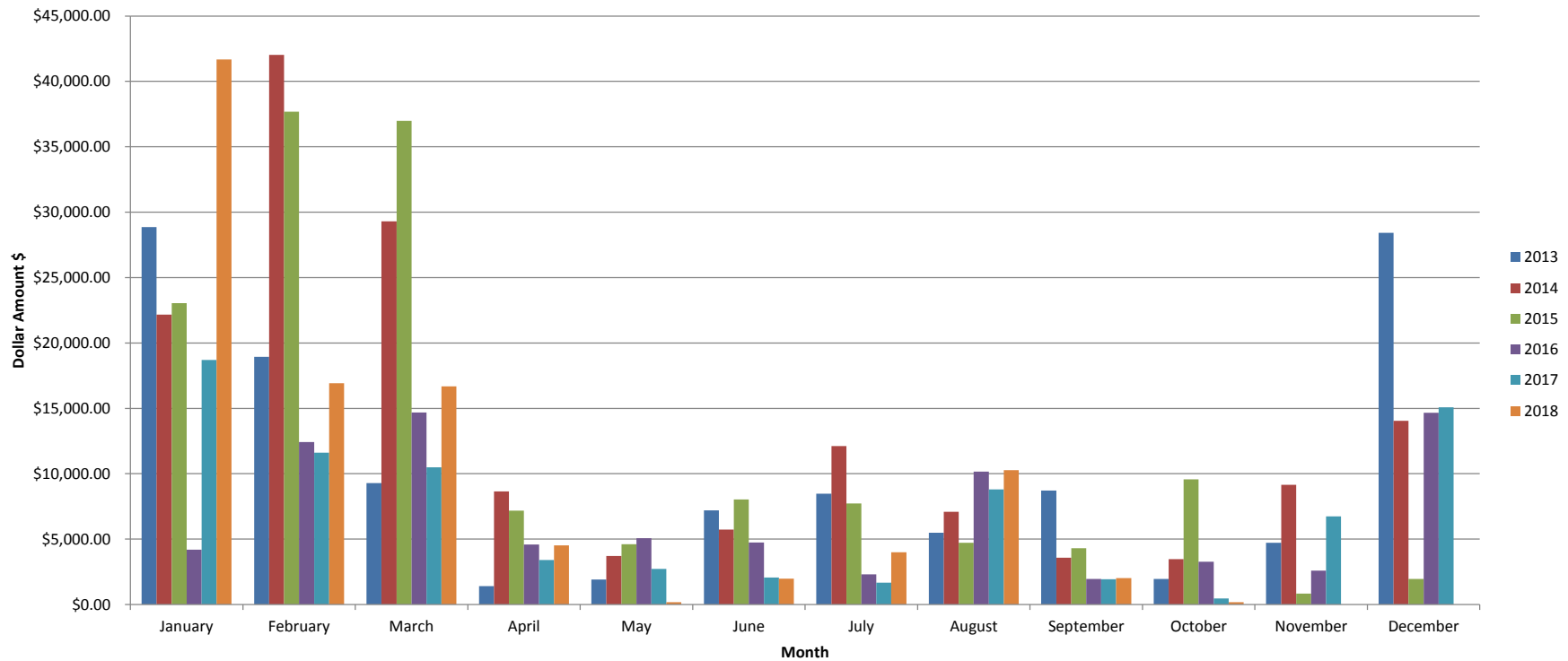
- Receipts recorded for October totaled \$1,393,781.49 and major receipts include the following:
  - Town Clerk - \$45,302.58 - including \$4,100.38 in water revenues, and \$14,087.00 in park and recreation fees
  - Development Office - \$9,157.00 applied against accounts receivable
  - Justice Fines & Fees- \$12,466.00
  - Sales Tax - \$1,229,127.53
  - Planning Studies Grant - \$26,564.39
  - DASNY Grant - \$48,065.94
  - Other - \$23,098.05

#### EXPENDITURES

- We would expect the available balances in each fund to be 16.70% at the end of October.
  - General Fund – Expenditures to date are \$2,254,695.16 against a revised budget of \$3,538,953 which leaves 36.29% available.
  - Highway Fund – Expenditures to date are \$2,936,544.45 against a revised budget of \$4,781,922.97 which leaves 35.59% available.
  - Water Fund – Expenditures to date are \$1,302,185.16 against a revised budget of \$2,676,080.26 which leaves 51.34% available.

	2013	2014	2015	2016	2017	2018
January	\$28,862.28	\$22,155.51	\$23,046.67	\$4,183.58	\$18,707.18	\$41,679.61
February	\$18,935.61	\$42,035.88	\$37,674.78	\$12,418.13	\$11,601.64	\$16,910.89
March	\$9,287.84	\$29,302.83	\$36,977.77	\$14,682.85	\$10,491.75	\$16,677.83
April	\$1,401.60	\$8,649.62	\$7,173.22	\$4,584.14	\$3,402.95	\$4,524.16
May	\$1,914.73	\$3,707.54	\$4,618.01	\$5,061.36	\$2,715.51	\$178.52
June	\$7,188.71	\$5,730.26	\$8,040.67	\$4,741.15	\$2,060.55	\$1,984.64
July	\$8,475.63	\$12,116.04	\$7,718.19	\$2,298.19	\$1,664.52	\$4,001.48
August	\$5,479.85	\$7,085.96	\$4,720.03	\$10,152.84	\$8,794.31	\$10,281.09
September	\$8,704.27	\$3,575.99	\$4,299.72	\$1,962.98	\$1,940.93	\$2,009.68
October	\$1,948.35	\$3,476.09	\$9,558.24	\$3,273.32	\$459.55	\$173.01
November	\$4,708.75	\$9,158.92	\$844.76	\$2,596.51	\$6,743.01	
December	\$28,423.96	\$14,038.96	\$1,957.16	\$14,667.81	\$15,086.85	

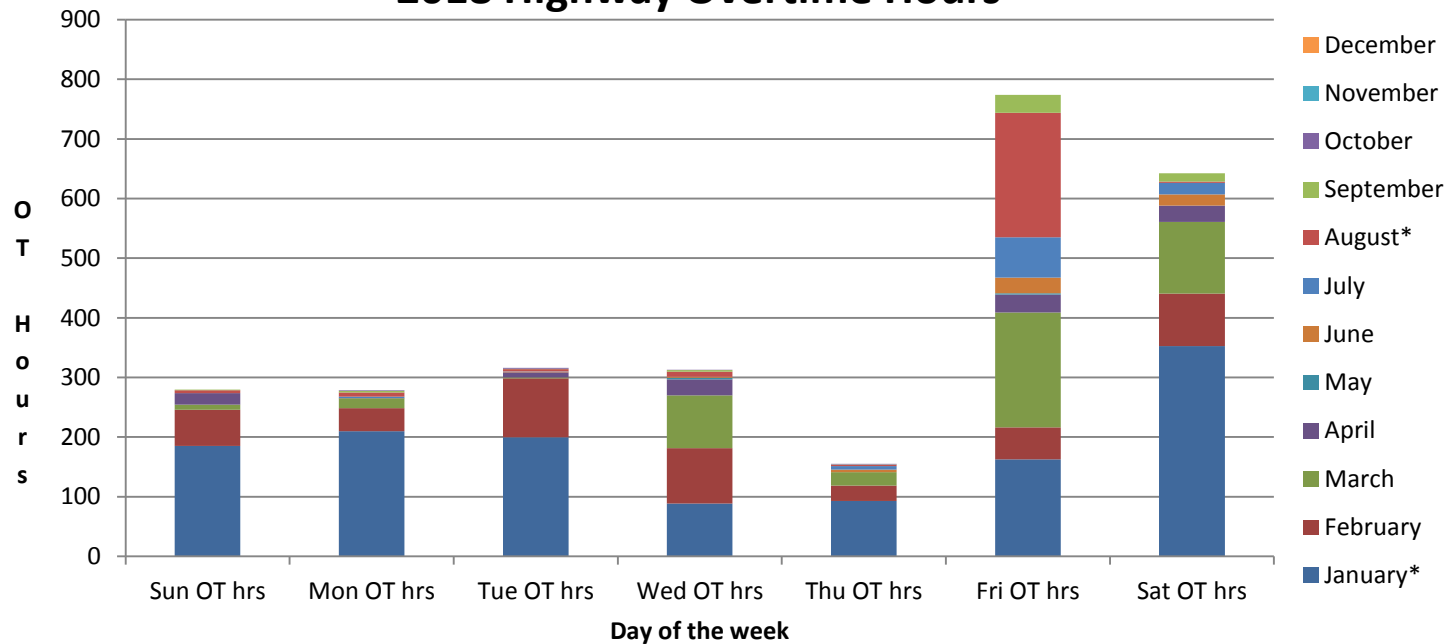
**Overtime Amounts for All Employees  
2013-2018**



	Sun OT hrs	Mon OT hrs	Tue OT hrs	Wed OT hrs	Thu OT hrs	Fri OT hrs	Sat OT hrs
<b>January*</b>	185	209.5	199.5	88.5	93	162.5	352.75
<b>February</b>	60.75	39	99	92.75	25.5	53.5	88
<b>March</b>	8.5	16.5	1.5	88.5	22.5	193	120.25
<b>April</b>	19.5	0	8.5	27	0	30	27
<b>May</b>	0	0	0	2.5	0	2	0
<b>June</b>	0	0.25	1	2	4.5	26.5	19
<b>July</b>	0	2.5	0.5	0	5.75	67.25	19.25
<b>August*</b>	4.5	7	3.75	8.25	2.25	208.75	2.25
<b>September</b>	1.5	2.75	0.5	3	0.25	30.5	13.75
<b>October</b>	0	1	1.5	0.5	1.25	0	0
<b>November</b>	0	0	0	0	0	0	0
<b>December</b>	0	0	0	0	0	0	0
	279.75	278.50	315.75	313.00	155.00	774.00	642.25

\*3 pay period month

## 2018 Highway Overtime Hours



# ATTACHMENT 2

## Environmental Committee Report 11/6/18

1. Please see below for the pounds diverted using Natural Upcycling. We continue to have some issues with the totes being serviced according to the agreed upon schedule, which affects the reporting totals. They did not charge us for services at the end of August, due to service issues, and therefore did not provide totals for pounds diverted. I am working with Natural Upcycling to increase communication, accountability, and accuracy of tracking pounds diverted.

<b>Natural Upcycling</b>					
Date	# of Totes	Lbs. Diverted	Cost		
7/7/2018	1	200	\$ 10.00		
7/14/2018	2	400	\$ 20.00		
7/21/2018	2	400	\$ 20.00		
7/28/2018	2	400	\$ 20.00	<b>July Total</b>	<b>1400</b>
8/4/2018	1	200	\$ 10.00		
8/11/2018	1	200	\$ 10.00		
8/18/2018	1	200	\$ 10.00	<b>August Total</b>	<b>600</b>
9/22/2018	4	800	\$ 40.00		
9/29/2018	1	200	\$ 10.00	<b>September Total</b>	<b>1000</b>
10/20/2018	2	400	\$ 20.00		
<b>Total</b>	<b>17</b>	<b>3400</b>	<b>\$ 170.00</b>		

2. So far we have placed two orders for backyard compost bins. The first order was for 24 and the second was for 21. We have one resident signed up who has not received one yet. That is a total of 46 out of 100 that have been claimed. We had a wave of sign ups after we mailed the newsletter to residents in late August. This is clearly a valuable tool for communicating with our residents.

3. We continue to work on the RFP process for Public Information Campaign Regarding Waste Diversion Initiatives. We will be having a Q & A Discovery Session on Wednesday November 7<sup>th</sup>. Proposals will be submitted and reviewed, with our recommendation to the Town Board for the next meeting.

4. The Environmental Committee has reviewed the RFP put out by Ontario County for Comprehensive Solid Waste Management Program Assessment and Transfer Station Consolidation Study. We are reviewing the consequences to our current RFP and the possible outcomes.

# ATTACHMENT 3

11/19/18

TO: Town Board  
FR: Environmental Conservation Board  
RE: **TOWN BOARD REFERRALS/RECOMMENDATION TO OPEN SPACE FUND**

**1. Referral of proposed Transfer of Development Rights Zoning Program  
Proposed New Section f Town Code Chapter 220 – Zoning, Article V – District Regulations,  
“Transfer of Development Rights (TDRs).**

As the objectives of the TDR Zoning Program closely align with the mission of the Environmental Conservation Board, we:

**RECOMMEND:** That the Environmental Conservation Board be included in the application process for the opportunity to review and make recommendations upon Transfer of Development Rights applications.

And that the RR-3 Zoning District be added to the applicable TDR zoning districts.

**2. Referral of Local Law #000 to amend Town Code Section 220-9 (W)(2) related to the dimensional requirements for swimming pools:**

**ECB Comments:** None

**Open Space Master Plan Implementation**

**Strategy 4.4, Replenish and maintain the Town’s Open Space Capital Reserve Fund**

**A. Commit to an annual appropriation for open space and conservation, to be used for acquisition as well as administration and inspection of donated easements.**

With the adoption of the Open Space Master Plan by the Town Board, the ECB has been reviewing the Recommended Actions that pertain to its Implementation. We understand that the 2019 Budget does not include a commitment of funds to the Open Space Fund. We also understand that at the end of year 2018 there may be an unexpended funds balance. It is the recommendation of the ECB that if such a balance occurs a transfer of funds to the Open Space Fund be made.

**RECOMMENDATION: That a transfer of \$150,000 from the unexpended funds balance be made to the Open Space Capital Reserve Fund during the 2018 budget year.**

Respectfully submitted,

Joyce Marthaller, Chair  
Environmental Conservation Board

cc: ECB  
Doug Finch, Town Manager

# ATTACHMENT 4



# Town of Canandaigua

5440 Routes 5 & 20 West  
Canandaigua, New York 14424

## **DRAINAGE ADVISORY COMMITTEE**

*Established October 16, 2017*

**TUESDAY, OCTOBER 9, 2018, 11:00 A.M.**

### **MINUTES—APPROVED**

- Meeting Called by:** Charles Oyler, *Chairperson*
- Committee Member Present:** Kathy Page
- Committee Member Excused:** Richard Krebs
- Town Representatives:**
  - Doug Finch, Canandaigua Town Manager
  - Jim Fletcher, Canandaigua Highway Superintendent
  - Greg Hotaling, MRB Group, D.P.C.
  - Kevin Olvany, Canandaigua Lake Watershed Council
  - Thomas Schwartz, Canandaigua Planning Board  
Chairperson
- Guests:** None

**1. CALL TO ORDER BY THE CHAIR**

Mr. Oyler called the meeting to order at 11:00 a.m.

**2. APPROVAL OF MINUTES OF SEPTEMBER 25, 2018**

The minutes of the September 25, 2018, meeting were approved. The minutes will be posted upon the Drainage Advisory Committee web page and will be distributed to the Town Board members and Town staff via e-mail.

**3. HILLCREST DRIVE DRAINAGE**

Mr. Fletcher: Said that Greg Novak (4964 Hillcrest Drive) spoke briefly with him at a recent community event regarding a forthcoming drainage mitigation plan which Mr. Novak will propose for his property. Mr. Fletcher will brief the Committee on Mr. Novak's proposal when it is received.

**4. LAURA LANE: DEC WETLANDS DETERMINATION AND MAPPING**

Mr. Hotaling: Sent the wetland delineation KMZ points to Chris Jensen for placement on the map (KMZ is a file format used to display geographic data). Mr. Hotaling said that the wetland boundary encroaches upon the residential properties and in some cases comes very near to the homes.

Mr. Olvany: Said that wetland delineations did not begin until approximately 1975 or 1976 and that the homes in this subdivision may have been built prior to the wetland delineation requirement. It was noted that homeowners in this area had septic-system problems which were mitigated by the installation of a sanitary sewer.

**5. FINGER LAKES COMMUNITY COLLEGE PROJECT UPDATE**

Mr. Olvany: Said that the wetland delineation mapping component of the Finger Lakes Community College drainage project has been completed and will be finalized in a report to be presented to Ontario County to be included in the Request For Proposals. Mr. Olvany said that a grant contract with the New York State Department of Environmental Conservation has been received to fund this project.

**6. DRAINAGE AREA MAPPING PROJECT UPDATE**

Mr. Olvany: Said that a staff member in his office has resumed work on the Drainage Area Mapping project. A focus of the project will be on issues along County Road 16. A presentation will be provided following completion of the mapping.

**7. 4201 WOOLHOUSE ROAD**

Mr. Oyler: Said that a drainage issue has been reported at 4201 Woolhouse Road, which is located on the north side of Woolhouse Road just west of the State Route 21 intersection and opposite the Woolhouse Road driveway of the Cheshire Union store. Mr. Fletcher said that the property is situated lower than the road and that a stream flows along the northern portion of the property. He said that he spoke with the property owner regarding the installation of a two catch basins, a length of pipe and a quantity of asphalt as possible mitigation measures. A determination whether the Town or the property

owner would be responsible for the cost is needed. This location will be added to the Committee's list of drainage issue locations.

#### **8. 6015 KNAPP ROAD**

Mr. Olyer: Said that a drainage issue has been reported at 6015 Knapp Road where the shoulder of the road is washing out after heavy rains. Mr. Fletcher inspected the site. He suggested that the property owner speak with his neighbor regarding stormwater runoff coming from the adjacent property and consider paving a portion of the driveway at the road to avoid the wash-outs of stones and gravel.

#### **9. COUNTY ROAD 30 PROJECT**

Mr. Hotaling: Reported on the County Road 30 18-acre drainage improvement project which is designed to serve as a temporary water storage area and to reduce nutrients from entering Sucker Brook which flows into Canandaigua Lake. He said that Sucker Brook is a major source of nutrients which enter the lake. This project is designed for water quality and water quantity mitigation. Mr. Hotaling said that the basin on the site will be lined with nutrient-eating vegetation to further reduce the flow of nutrients into the lake.

#### **10. REVIEW OF UPDATED DRAINAGE ISSUES TRACKING SPREADSHEET**

The Committee continued the review of specific drainage issues on the most recent tracking spreadsheet. (Locations #1–#39 were reviewed at the previous meeting.)

Location #41: 5194 Laura Lane

Issue resolved by the Town Highway Department.

Location #43: 5231 Nott Road

Issue is the responsibility of the property owner.

Location #44: 4137 Onnalinda Drive

Ontario County has identified a culvert on County Road 16 for upsizing. The upland drainage area may have been artificially increased by development which is causing more water to flow into the culvert than in the past. Mr. Olvany will contact the County to verify the peak water flow to the culvert and to discuss joint Town/County mitigation.

Location #45: Parrish Street Extension

The Town has an easement over this area for access. The runoff flow has been altered by the current landcover. There are no issues to this point so far this year.

Locations #46, #47, #49, #50, #51: Poplar Beach, Sandy Beach, Sandy Cove  
 Terry Smith (3455 Sandy Cove) has applied for Site Plan approval from the Planning Board for the replacement of a drainage pipe between the wetlands off State Route 364 and Canandaigua Lake (CPN-18-070, Planning Board Agenda, October 23, 2018). Permits for this work also are required from the New York State Department of Environmental Conservation and the U.S. Army Corps of Engineers. Mr. Olvany said that the nearby Finger Lakes Community College Drainage Project will provide drainage mitigation for about 40 acres of land in this area.

Location #53: 5795 Smith Road  
 Resolution is the responsibility of the property owner.

Location #57: 5575 State Routes 5 & 20 (Sucker Brook Diversion Area)  
 Issue resolved by the granting of an easement by the property owner.

Location #59: 5431 Wells Curtice Road  
 Issue is the responsibility of the property owner. The Town cannot enter upon private property. No easement or right of way is available.

**11. NEXT MEETINGS AND ADJOURNMENT**

The next meeting of the committee will be:

***Tuesday, October 23, 2018 11:00 a.m. Canandaigua Town Hall***

Subsequent meetings will be:

Tuesday, November 13, 2018	11:00 a.m.	Canandaigua Town Hall
Tuesday, November 27, 2018	11:00 a.m.	Canandaigua Town Hall
Tuesday, December 11, 2018	11:00 a.m.	Canandaigua Town Hall
Tuesday, January 8, 2019	11:00 a.m.	Canandaigua Town Hall

The meeting was adjourned at 12:00 p.m.

Respectfully submitted,

\_\_\_\_\_  
 John M. Robortella L.S.

**E-mail distribution:**

Krebs, Richard  
Oyler, Charles  
Page, Kathy

**cc. to:**

Bloom, Tina  
Brabant, Lance  
Chrisman, Jean  
Cooper, Eric  
Davis, Gary  
Dworaczyk, Linda  
Fennelly, Terry  
Finch, Doug  
Fletcher, Jim  
Hotaling, Greg  
Jensen, Chris  
Marthaller, Joyce  
McCumiskey, Kaitlynn  
Nadler, Christian  
Olvany, Kevin  
Reynolds, Kevin  
Reynolds, Sarah  
Rowlinson, Michelle  
Schwartz, Tom

# ATTACHMENT 5



**NYSLRS** New York State & Local Retirement System



Office of the New York State Comptroller  
NEW YORK STATE COMPTROLLER  
Thomas P. DiNapoli

## TOWN OF CANANDAIGUA 30153 ERS - 2019 Annual Invoice

Payment of this invoice must be received by the Retirement System on or before February 1, 2019. If paying the prepay amount, payment must be received on or before December 15, 2018. Unpaid balances accrue interest at the rate of 7.0%. If you have questions, contact Tanya Callahan at 518-474-3140 or the Employer Billing Unit at 518-486-3921 or 518-408-4214.

**Payment Due  
February 1, 2019**

**Prepayment Due  
December 15,  
2018**

**Total Amount Due:**

**\$271,451**

**\$269,165**

### Contribution Details

Tier	Plan ID	Options	Reported Salary	Rate	Regular Pension Contribution *	GTLI
4	A15	41J	\$1,232,105	15.8%	\$188,512	\$6,161
5	A15	41J	\$154,682	13.0%	\$19,336	\$773
6	A15	41J1	\$570,375	9.3%	\$50,193	\$2,852
<b>Sub Totals</b>			<b>\$1,957,162</b>		<b>\$258,041</b>	<b>\$9,786</b>

\* Regular Pension Bill without GTLI - Uses 3/31/2018 Salaries with Final Rates

**2019 Regular Pension Contribution, Including GTLI**

**\$267,827**

### Invoice Details

**Due February 1,  
2019 Payments**

divide  
by  
factor

**Pre Pay December  
15, 2018 Payments**

#### Adjustments

Prior Years Adjustment \$3,624 1.008493 = \$3,593

**Total Adjustments and Installments** \$3,624 \$3,593

2019 Regular Pension Contribution \$267,827 1.008493 = \$265,572

**Total Amount Due**

**\$271,451**

**\$269,165**

2019 Regular Pension Contribution	\$	265,572
Adjustment	\$	3,593
Total Invoice	\$	269,165

Budget

A Fund	\$ 122,000.00	\$	134,322
D Fund	\$ 165,000.00	\$	122,097
S Fund	\$ 19,000.00	\$	12,746
		\$	269,165

Tier 4            # emp.            \$        193,034

A Fund	8	\$	77,213
D Fund	11	\$	106,168
S Fund	1	\$	9,652
# emp.	20	\$	193,034

Tier 5            # emp.            \$        19,940

A Fund	2	\$	13,293
D Fund	1	\$	6,647
S Fund	0	\$	-
# emp.	3	\$	19,940

Tier 4            # emp.            \$        52,598

A Fund	13	\$	40,222
D Fund	3	\$	9,282
S Fund	1	\$	3,094
# emp.	17	\$	52,598



# ATTACHMENT 6

# TOWN OF CANANDAIGUA

## Budget Adjustment Form

Year: 2018 Period: 6 Trans Type: B1 - Transfer Status: Posted  
 Trans No: 280 Trans Date: 06/12/2018 User Ref: SINGER  
 Requested: Approved: Created by: SINGER 06/12/2018  
 Description: TO ADJUST INSURANCE LINES FOR ACTUAL EXPENSE AMOUNTS Account # Order: Yes  
 Print Parent Account: No

Account No.	Account Description	Amount
S.9040.800.247	WORKERS COMPENSATION...CANANDAIGUA CONSOLIDATED WATER DI€	-250.00
S.9060.830.247	MEDICAL INSURANCE.HSA ACCOUNT.CANANDAIGUA CONSOLIDATED W/	250.00
<b>Total Amount:</b>		<u>0.00</u>

# TOWN OF CANANDAIGUA

## Budget Adjustment Form

Year: 2018 Period: 7 Trans Type: B1 - Transfer Status: Posted  
 Trans No: 289 Trans Date: 07/20/2018 User Ref: PIERCE  
 Requested: Approved: Created by: PIERCE 07/20/2018  
 Description: TO COVER FINAL BILL FROM LABELLA FOR OPEN SPACE Account # Order: Yes  
 Print Parent Account: No

Account No.	Account Description	Amount
A.8020.400	PLANNING.PB.MISC.CONTRACTUAL	-689.00
A.8020.422	PLANNING.OPEN SPACE & CONSERVATION PLAN	689.00
<b>Total Amount:</b>		<u>0.00</u>

# TOWN OF CANANDAIGUA

## Budget Adjustment Form

Year: 2018 Period: 9 Trans Type: B1 - Transfer Status: Posted  
 Trans No: 294 Trans Date: 09/12/2018 User Ref: PIERCE  
 Requested: Approved: Created by: PIERCE 09/12/2018  
 Description: PER TOWN MANAGER'S REQUEST FOR PAYMENT TO MRB - VOUCHER #10129 Account # Order: Yes  
 Print Parent Account: No

Account No.	Account Description	Amount
A.8020.400	PLANNING.PB.MISC.CONTRACTUAL	-160.00
A.8020.410	PLANNING.PB.ENGINEERING.CONTRACTUAL	160.00
<b>Total Amount:</b>		<u>0.00</u>

# TOWN OF CANANDAIGUA

## Budget Adjustment Form

Year: 2018	Period: 10	Trans Type: B1 - Transfer	Status: Posted
Trans No: 296	Trans Date: 10/01/2018	User Ref: PIERCE	
Requested:	Approved:	Created by: PIERCE	10/01/2018
Description: PER TOWN MANAGER'S REQUEST FROM ZBA CONTRACTUAL TO PB CONTRACTUAL ENGINEERING TO PAY MRB BILL 28086			Account # Order: Yes
			Print Parent Account: No

Account No.	Account Description	Amount
A.8020.410	PLANNING.PB.ENGINEERING.CONTRACTUAL	165.00
A.8040.400	ZONING BOARD OF APPEALS CONTRACTUAL	-165.00
<b>Total Amount:</b>		0.00

# TOWN OF CANANDAIGUA

## Budget Adjustment Form

Year: 2018 Period: 10 Trans Type: B1 - Transfer Status: Posted  
 Trans No: 297 Trans Date: 10/02/2018 User Ref: PIERCE  
 Requested: Approved: Created by: PIERCE 10/02/2018  
 Description: PER TOWN MANAGER'S REQUEST FROM ZBA CONTRACTUAL TO PB Account # Order: Yes  
 CONTRACTUAL ENGINEERING TO PAY MRB BILL 28091 Print Parent Account: No

Account No.	Account Description	Amount
A.8020.410	PLANNING.PB.ENGINEERING.CONTRACTUAL	220.00
A.8040.400	ZONING BOARD OF APPEALS CONTRACTUAL	-220.00
<b>Total Amount:</b>		0.00

# TOWN OF CANANDAIGUA

## Budget Adjustment Form

Year: 2018 Period: 10 Trans Type: B1 - Transfer Status: Posted  
 Trans No: 298 Trans Date: 10/11/2018 User Ref: PIERCE  
 Requested: Approved: Created by: PIERCE 10/11/2018  
 Description: REC CONTRACTUAL OVERBUDGET: TRANSFER MADE TO PAY VOUCHER #10294 FOR MILEAGE REIMBURSEMENT FOR DIRECTOR OF PARKS & RECREATION Account # Order: Yes  
 Print Parent Account: No

Account No.	Account Description	Amount
A.7020.400	RECREATION.CONTRACTUAL	209.84
A.7140.400	PLAYGROUND/RECREATION.CONTRACTUAL	-209.84
<b>Total Amount:</b>		0.00

# TOWN OF CANANDAIGUA

## Budget Adjustment Form

Year: 2018 Period: 10 Trans Type: B1 - Transfer Status: Posted  
 Trans No: 299 Trans Date: 10/11/2018 User Ref: PIERCE  
 Requested: Approved: Created by: PIERCE 10/11/2018  
 Description: PARKS CONTRACTUAL OVERBUDGET: TRANSFER MADE TO COVER Account # Order: Yes  
 EXPENSES ON OCTOBER ABSTRACT Print Parent Account: No

Account No.	Account Description	Amount
A.7110.400	PARK.CONTRACTUAL	40.86
A.7110.402	PARK.TREE & LANDSCAPE	-40.86
<b>Total Amount:</b>		<u>0.00</u>



# TOWN OF CANANDAIGUA

## Budget Adjustment Form

Year: 2018 Period: 10 Trans Type: B1 - Transfer Status: Posted  
 Trans No: 300 Trans Date: 10/11/2018 User Ref: PIERCE  
 Requested: Approved: Created by: PIERCE 10/11/2018  
 Description: TOWN MANAGER CONTRACTUAL OVERBUDGET: TRANSFER MADE TO COVER Account # Order: Yes  
 VOUCHER #10313 FOR HOTEL ROOM FOR ICMA CONFERENCE Print Parent Account: No

Account No.	Account Description	Amount
A.1230.400	TOWN MANAGER.CONTRACTUAL	500.00
A.6989.400	ECONOMIC DEVELOPMENT.CONTRACTUAL	-500.00
<b>Total Amount:</b>		<u>0.00</u>

# TOWN OF CANANDAIGUA

## Budget Adjustment Form

Year: 2018 Period: 10 Trans Type: B1 - Transfer Status: Posted  
 Trans No: 304 Trans Date: 10/23/2018 User Ref: PIERCE  
 Requested: Approved: Created by: PIERCE 10/23/2018  
 Description: PER TOWN MANAGER'S REQUEST TO COVER PAYROLLS FOR PLANNING BOARD SECRETARY Account # Order: Yes  
 Print Parent Account: No

Account No.	Account Description	Amount
A.8020.140	STENOGRAPHER PT.PERSONAL SERVICES	1,000.00
A.8020.160	PLANNING..ECB STENOGRAPHER	-500.00
A.8040.140	ZONING BOARD OF APPEALS SECRETARY.PERSONAL SERVICES	-500.00
<b>Total Amount:</b>		0.00

# TOWN OF CANANDAIGUA

## Budget Adjustment Form

Year: 2018	Period: 10	Trans Type: B1 - Transfer	Status: Posted
Trans No: 305	Trans Date: 10/23/2018	User Ref: PIERCE	
Requested:	Approved:	Created by: PIERCE	10/23/2018
Description: PER TOWN CLERKS REQUEST TO COVER SALARY FOR TEMP DEPUTY TOWN CLERK			Account # Order: Yes
			Print Parent Account: No

Account No.	Account Description	Amount
A.1410.141	TOWN CLERK.DEPUTY P/T	-1,450.00
A.1410.142	TOWN CLERK.PT CLERK. TEMP	1,450.00
<b>Total Amount:</b>		0.00

# TOWN OF CANANDAIGUA

## Budget Adjustment Form

Year: 2018 Period: 10 Trans Type: B1 - Transfer Status: Posted  
 Trans No: 306 Trans Date: 10/26/2018 User Ref: PIERCE  
 Requested: Approved: Created by: PIERCE 10/26/2018  
 Description: TO COVER PAYROLL FOR P/T PARKS LABORER Account # Order: Yes  
 Print Parent Account: No

Account No.	Account Description	Amount
A.7110.130	PARK.LABORER F/T	-1,923.78
A.7110.143	PARK.LABORER P/T	1,923.78
<b>Total Amount:</b>		<u>0.00</u>

# TOWN OF CANANDAIGUA

## Budget Adjustment Form

Year: 2018	Period: 10	Trans Type: B1 - Transfer	Status: Posted
Trans No: 307	Trans Date: 10/26/2018	User Ref: PIERCE	
Requested:	Approved:	Created by: PIERCE	10/26/2018
Description: TO COVER PAYROLL FOR P/T ZONING INSPECTOR			Account # Order: Yes
			Print Parent Account: No

Account No.	Account Description	Amount
A.8010.141	ZONING.INSPECTOR P/T	2,000.00
A.8010.200	ZONING INSPECTOR.CAPITAL.EQUIPMENT	-1,000.00
A.8664.200	CODE ENFORCEMENT.CAPITAL.EQUIPMENT	-1,000.00
<b>Total Amount:</b>		0.00

**TOWN OF CANANDAIGUA****Budget Adjustment Form**

Year: 2018 Period: 11 Trans Type: B1 - Transfer Status: Posted  
Trans No: 308 Trans Date: 11/13/2018 User Ref: PIERCE  
Requested: Approved: Created by: PIERCE 11/13/2018  
Description: PER TOWN MANAGER'S REQUEST FROM PARKS EQUIPMENT TO Account # Order: Yes  
CONTRACTUAL TO COVER EXPENSES Print Parent Account: No

Account No.	Account Description	Amount
A.7110.200	PARK.CAPITAL.EQUIPMENT	-2,500.00
A.7110.400	PARK.CONTRACTUAL	2,500.00
	<b>Total Amount:</b>	<u>0.00</u>

# ATTACHMENT 7

# TOWN OF CANANDAIGUA

## FUND BALANCE POLICY

~~Adopted: January 8, 2018 — Resolution #2018-018~~

### PURPOSE

The purpose of a Fund Balance Policy is to ensure that there will be adequate liquid resources to serve as a financial cushion.

### POLICY STATEMENT

The Town of Canandaigua finances will be managed so as to maintain balances of the various funds at levels sufficient to mitigate current and future risks, such as revenue shortfalls and unanticipated expenditures, ensure stable tax rates and user fees, and protect the Town's creditworthiness. To assure the appropriate level in all funds, the Town will maintain ~~an~~ Unrestricted Fund Balance(s) as follows:

- General Fund: Unrestricted Fund Balance of not less than 15% and no more than ~~60~~30% of the average annual budget appropriations ~~in each fund~~.
- Highway Fund: Unrestricted Fund Balance of not less than 5% and no more than 15% of the average annual budget appropriations. These percentages are lower than the General Fund Unassigned Fund Balance range due to limitations on transferring money out of the Highway Fund once it has been moved to this fund.
- Special Lighting District(s): Unrestricted Fund Balance(s) levels of not less than 5% and no more than 25% of the cost of replacing a light pole during unplanned situations plus average district expenditures. For the purpose of calculating unassigned fund balance percentages, the unplanned replacement of a light pole should be based on a cost of \$10,000.00 if no other cost is determined. In the case where planned improvements are scheduled to begin within a twenty-four month time period, Unrestricted Fund Balance(s) may exceed the policy range to help pay for the planned expense.
- Special Drainage District(s): Unrestricted Fund Balance(s) levels of not less than 10% and no more than 50% of the cost of the clean out of an average pond plus average district expenditures. For the purpose of calculating unassigned fund balance percentages, the average clean out of a pond should be based on a cost of \$ 20,000.00 if no other cost is determined. In the case where planned improvements are scheduled to begin within a twenty-four month time period, Unrestricted Fund Balance(s) may exceed the policy range to help pay for the planned expense.
- Special Fire Protection District(s): Unrestricted Fund Balance(s) levels of not less than 2% and no more than 10% of the average annual district expenditures. These percentages are lower than other special districts, since the majority of the district expenditures are planned and budgeted ahead of time. These unassigned funds are to be used when expenditures relating to fire protection planning and safety arise and are approved by the Town Board.
- Special Sanitary Sewer District(s): Unrestricted Fund Balance(s) levels of not less than 5% and no more than 15% of the average annual district expenditures.
- Special Water Districts: Unrestricted Fund Balance(s) of not less than 20% and no more than 35% of the average annual budget appropriations. This amount is higher than typical unassigned fund balance ranges to compensate for delinquent water bills which are placed on the tax roll and then reimbursed to the specific water district at a later date. In the case where



planned improvements are scheduled to begin within a twenty-four month time period, Unrestricted Fund Balance(s) may exceed the policy range to help pay for the planned expense.

- Special Water Districts (operated by Farmington): Unrestricted Fund Balance(s) of not less than 10% and no more than 25% of the average annual budget appropriations. In the case where planned improvements are scheduled to begin within a twenty-four month time period, Unrestricted Fund Balance(s) may exceed the policy range to help pay for the planned expense.

### **SPECIAL DISTRICTS OUTSIDE OF POLICY RANGE**

Certain circumstances may justify unrestricted fund balance levels outside of the policy range in special districts. Instances where the special district fund balance level is outside the policy range, the Chief Fiscal Officer and/or ~~Budget Officer~~ Town Manager shall report to the Town Board on the status of the district and justification for the unrestricted fund balance outside of the policy range. Unrestricted fund balance levels may exist outside the policy range for the following situations:

- Significant volatility in operating revenues or operating expenditures;
- Potential drain on resources due to planned and/or unexpected capital improvements to certain districts;
- Planned improvements in certain districts where the levy of taxes in one budget year would place an unnecessary financial burden on taxpayers; however, the levy of a stable tax rate over consecutive years in order to pay for a planned expenditure may result in unrestricted fund balance higher than the allowable policy range;
- Exposure to natural disasters, or emergency repair response;
- Reliance on a single corporate taxpayer or upon a group of taxpayers in the same industry that could experience a shift creating a substantial assessment change in the district;
- Rapidly growing budgets relating to expenditures for a special district;
- Disparities in timing between revenue collections and expenditures.

### **RESTORATION OF FUND BALANCE RANGE**

Should the Fund balance for any fund exist outside the target range, the ~~Bookkeeper~~ Chief Fiscal Officer and/or the Town Manager will advise ~~the Budget Officer and~~ the Town Board. Working with the Town Board, the ~~Bookkeeper and the Budget Officer~~ Chief Fiscal Officer and/or the Town Manager will prepare a plan for restoration of the balance to the target levels and achieve the target level as soon as practicable within the next fiscal year. The Town Board may consider appropriations of Unrestricted Fund Balance to Reserve Funds at anytime to assist with restoring balances to the proper range.

### **REPORTING OF FUND BALANCE TO THE TOWN BOARD**

The Chief Fiscal Officer and/or the ~~Budget Officer~~ Town Manager shall report to the Town Board monthly on the status of all funds. The monthly fund balance report shall include the estimated fund balance for the fund, along with the minimum and maximum amounts allowable per the fund balance policy.

### **DEFINITIONS**

**Cash Balance:** The sum of cash and the investment of an accounting fund.

**Unrestricted Fund Balance:** The total of the committed, assigned and unassigned fund balance.

**Fund Balance:** The difference between the assets and liabilities reported in a governmental fund. Fund balance is not the cash balance of the Town, the fund balance consists of other assets such as money due from the state and federal government, taxes receivable, and accounts receivable. Fund Balances are classified into various components depending on the limitations placed on the use of the funds. The hierarchy indicates the extent to which a government is bound to observe spending constraints that govern

how it can use amounts reported in the governmental funds balance sheet. GASB Statement 54 established the following classifications depicting how specific amounts can be spent:

- **Nonspendable Fund Balance** includes amounts that are not in a spendable form (inventory, for example) or are required to be maintained intact (the principal of an endowment fund, for example).
- **Restricted Fund Balance** includes amounts that can be spent only for the specific purpose stipulated by external resources providers (for example, grant providers), constitutionally, or through laws or regulation of other governments.
- **Committed Fund Balance** includes amounts that can be used only for the specific purpose determined by a formal action of the Town Board (self-imposed limitation set in place prior to the end of the period). Commitments may be changed or lifted only by the Town Board taking the same formal action that imposed the constraint originally.
- **Assigned Fund Balance** comprises amounts intended to be used for specific purposes. Intent can be expressed by the Town Board. Encumbrances that are carried forward to the subsequent year are classified in the Assigned Fund Balance. It is the Assigned Fund Balance that is used to reflect the appropriation of a portion of the existing fund balance to eliminate a projected deficit in the subsequent year's budget.
- **Unassigned Fund Balance** is the residual classification for the general fund and includes all amounts not contained in the other classifications (i.e., surplus). Unassigned amounts are technically available for any purpose.

# ATTACHMENT 8

**TOWN OF CANANDAIGUA**  
**BUDGET DEVELOPMENT POLICY**  
~~Adopted: January 8, 2018 by Resolution # 2018-018~~

**PURPOSE**

The Town Board of the Town of Canandaigua is adopting these budget development policy guidelines in order to provide direction to the ~~Town Manager~~~~Budget Officer~~, and all Town Departments in terms of the expectations of the Town Board in the development of the annual fiscal budget. In the event the Town Manager is unable to prepare the Town Budget in accordance with this policy, the Town Board may appoint a designee(s) to perform certain responsibilities as directed by the Town Board.

**POLICY STATEMENT**

The Town of Canandaigua has benefited from years of sound financial management. In order to solidify the sound practices currently in effect, increase public understanding of the framework within which the Town's budget is developed, and focus attention on future budgetary challenges, the Town Board believes formal financial budget development policies should be established in the following areas:

- A. **Balanced Budget** – The annual budget shall be balanced in accordance with the laws of the State of New York with current revenue equal to or greater than current expenses while continuing to provide a level-service delivery approach with an eye toward service enhancements where possible.
- B. **Revenue Projections** – All revenue projections or estimates shall be conservative in nature based on historical data and known trends and forecasts. All tax revenue estimates shall be based on reasonable Town previously adopted rates. Any new sources of revenues and new tax rates shall be adopted and included only after the Town Board has held a public hearing, received comment, and approved.
- C. **Expenditure Projections** – All expenditures shall be based on actual known costs, reliable historical data or estimates provided after careful research and investigation by staff and the Town Board. All expenditures, projects and reserves budgeted shall be included only if they are necessary and essential in the individual department's efforts to meet the goals and objectives established by the Town Board.
- D. **General Fund Reserves** – The General Fund balance should be adequate to handle unexpected revenue shortfalls and be able to accommodate a reasonable level of extraordinary, unbudgeted expenditures. The Town Board has adopted a Fund Balance Policy setting required unassigned fund balance levels. Please see the Fund Balance Policy for more detailed information. Each year, available fund balance (carryover), the cumulative excess of revenues over expenditures, may be used as a source of funding to be applied to the

next fiscal years budget. Annual budgets should reference the projected fund balance in accordance with the Fund Balance Policy.

- E. Capital Expenditures – In order to maintain and improve the Town’s infrastructure, facilities, and equipment; the Town Board adopted a long term capital improvement plan. The Town Board periodically updates the capital improvement plan after further review and discussion. Expenditures of a capital investment in development of the budget should be in keeping with the capital improvement plan.
- F. Budget Practices – In preparing the budget, the ~~Budget Officer~~ Town Manager should continue to review the Town’s revenue sources to identify: grant funding from federal, state, and other sources; fees, licenses, permits; sales and use tax; and all other possible sources of revenue. Any new sources should be proposed to the Town Board prior to the presentation of the draft budget.

### **BUDGET PREPARATION TIMELINE**

The ~~Budget Officer~~ Town Manager shall cause to be published a budget calendar by June 30<sup>th</sup> of each year. The calendar shall include dates for Town Board meetings, public hearings, six month revenue and expense summary report, accounting software access for department heads, solicitation of vendors and providers, finance committee meetings relative to the proposed budget, and department head meetings with ~~Budget Officer~~ the Town Manager relative to the upcoming fiscal budget.

The ~~Budget Officer~~ Town Manager shall cause for the proposed budget to be submitted for consideration by the Town Board in the month of September. The Town Board shall hold a public hearing on the proposed plan in the month of September or October, but no later than the Thursday immediately following the general election. The Town Board should adopt the next calendar year’s budget not later than November 20<sup>th</sup> per Town Law Section 109.

### **BUDGET MONITORING**

In order to improve its ability to monitor the implementation of the Town budget, the Town Board will receive quarterly reports on revenues and expenditures during the fiscal year. The ~~Budget Officer~~ Town Manager will present to the Town Board any variances in revenue or expenditures beyond projections as soon as they are known at the next meeting. The Town Manager is authorized to make budget transfers in amounts of less than \$5,000.00 in the same fund as needed, provided he/she makes the Town Board aware by preparing an acknowledgement resolution for consideration by the Town Board. If the Town Board does not agree with the transfer that has been completed, a failure to approve the resolution or direction by the Town Board shall require the Town Manager to reverse the entry. All budget transfer requests crossing from one fund to the other, or in an amount in excess of \$5,000.00 shall be presented by the ~~Budget Officer~~ Town Manager to the Town Board in the form of a resolution for consideration prior to any transfer being completed. In addition, the Town Board will receive monthly reports on the use and balance of monies in appropriated reserve and unassigned fund balance from the ~~Budget Officer~~ Town Manager and/or Town Supervisor.

# ATTACHMENT 9

2018 Investment Policy  
For  
Town of Canandaigua

~~Revised by Resolution No. 2018-018 on January 8, 2018~~

I. Scope

This investment policy applies to all monies and other financial resources available on its own behalf or on behalf of any other entity or individual.

II. Objectives

The primary objectives of the local government's investment activities are, in priority order:

- To conform with all applicable federal, state and other legal requirements (legal);
- To adequately safeguard principal (safety);
- To provide sufficient liquidity to meet all operating requirements (liquidity), and
- To obtain a reasonable rate of return (yield).

III. Delegation of Authority

~~The Town Board shall retain all responsibility and oversight for the Town of Canandaigua's investment program including the establishment of procedures for investments, internal controls, and all activity of all funds. governing board's responsibility for administration of the investment program is delegated to the Supervisor who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.~~

IV. Prudence

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. Diversification

It is policy of the Town to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

## VI. Internal Controls

It is the policy of the Town for all monies collected by any officer or employee of the government to transfer those funds to the Town Clerk, Justice Clerk (Town Court), the Clerk/Finance (Town Manager's Office), or the Town Supervisor within three days of deposit or within the time period specified by law whichever is shorter.

The Town Board Supervisor is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations. The Town Board from time to time may review control procedures and give direction for any changes, if needed, to either the Town Supervisor or the Town Manager to make adjustments to the internal controls.

## VII. Designation of Depositories ~~(Section amended October 16, 2016)~~

The banks and trust companies authorized for the deposit of monies ~~up to a maximum amounts are:~~ will be named and authorized by resolution of the Town Board during the annual organizational meeting of the Town Board.

<u>Depository Name</u>	<u>Maximum Amount</u>
Canandaigua National Bank	\$14 million
Lyons National Bank	\$8 million

## VIII. Collateralized of Deposits

In accordance with the provisions of General Municipal Law, Section 10, all deposits of the Town including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured.

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML Section 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short – term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk – based capital requirements.



3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims – paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

#### IX. Safekeeping and Collateralization

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in securities.

#### X. Permitted Investments

As authorized by General Municipal Law, Section 11, the Town Board authorizes the ~~Supervisor to~~ investment of monies not required for immediate expenditures for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificate of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;

- Obligations issued pursuant to LFL Section 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Town;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments;
- Certificates of Participation (COPs) issued pursuant to GML Section 109-b;
- Obligations of this local government, but only with any monies in a reserve fund established pursuant to GML Sections 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, 6-n.

All investment obligations shall be payable or redeemable at the option of the Town within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town within two years of the date of purchase.

#### XI. Authorized Financial Institutions and Dealers

~~The Town shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer.~~ All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. ~~The Supervisor is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.~~

#### XII. Purchase of Investments

The Supervisor or the Town Manager is authorized to contact for the purpose of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to or held in custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town by the

bank or trust company. Any obligation held in custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in securities.

### XIII. Repurchase Agreements

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

### XIV. Process for Investments

The Town Board wishes to ensure the safety of taxpayer dollars that have been entrusted to their care while also maximizing opportunities to increase interest revenue associated with funds either included in reserve funds or moneys not required for immediate investment. In order to maximize oversight by the Town Board, requests to invest funds must be authorized by resolution of the Town Board. In the event where opportunities to invest funds cannot wait until the next suitable Town Board meeting due to investment deadlines, the Town Supervisor or Town Manager may invest or cause to be invested funds provided three of the following persons have authorized such investment: Town Supervisor, Deputy Town Supervisor, Chair of the Finance Committee, Town Clerk, Town Manager, or Clerk (Finance). The Town Supervisor or Town Manager must then provide notice to the Town Board of such investment by acknowledgement resolution at the next suitable Town Board meeting.

Date Policy Adopted: 12/14/1998  
Date Policy Amended: 5/20/2008  
Date Policy Adopted: 1/6/2014  
Date Policy Adopted: 1/5/2015  
Date Policy Adopted: 1/11/2016  
Date Policy Adopted: 1/9/2017  
Date Policy Amended: 10/16/2017  
Date Policy Adopted: 1/8/2018

Appendix A  
Schedule of Eligible Securities

- \_\_\_\_\_ (i) Obligations issued, fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof or a United States government sponsored corporation.
- \_\_\_\_\_ (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development, the Asian Development Bank and the African Development Bank.
- \_\_\_\_\_ (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.
- \_\_\_\_\_ (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public monies.
- \_\_\_\_\_ (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- \_\_\_\_\_ (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally statistical rating organization.
- \_\_\_\_\_ (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- \_\_\_\_\_ (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- \_\_\_\_\_ (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- \_\_\_\_\_ (x) Commercial paper and bankers' acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and have maturities of no longer than 60 days from the date they are pledged.
- \_\_\_\_\_ (xi) Zero coupon obligations of the United States government marketed as "Treasury strips".

# ATTACHMENT 10

## Town of Canandaigua 2018 Procurement Policy

The Procurement Policy previously adopted by the Town Board on June 28, 2010 is hereby adopted by the Town Board for the year 2018, and further amended May 21, 2018, ~~and~~ July 16, 2018, ~~and~~ November 19, 2018. This policy must be strictly adhered to by all Department Heads and Town staff empowered with the authority to make purchases on behalf of the Town.

### Town of Canandaigua Procurement Policy

1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, §103. Supervisor, Town Manager, Highway Superintendent, Town Clerk, Director of Development, Assessor, Director of Parks and Recreation, Town Historian, Town Justices, or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other Town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.
2. If the Town is purchasing off a State contract (or purchasing off any properly let municipal contract), the Town is not required to engage in competitive bidding.
3. All purchases of (a) supplies or equipment which will exceed \$20,000 in the fiscal year or (b) public works contracts over \$35,000 shall be formally bid pursuant to GML, §103 and shall require approval by resolution of the Town Board prior to committing the Town to purchase such good or service.
4. Unless previously approved by Resolution of the Town Board, all purchases of Goods in excess of \$ 1,000 or Public Works Contracts in excess of \$ 3,000 require a purchase order to be approved by the Town Manager or ~~Bookkeeper-Clerk (Finance)~~ prior to ordering the Goods or entering into agreement for the Public Works Contract. Purchase orders will not be approved if budgetary lines are not created, or if the balance of the account is not sufficient to pay for the proposed expenditure. Blanket purchase orders of amounts not to exceed may be utilized for purchases that are of a contractual nature or related to ongoing operational expenditures such as vehicle fuel delivery, routine contracts for services provided by other entities such as insurance, and other maintenance service contracts.
5. Department Heads shall have full authority to make departmental purchases of goods or services up to \$20,000 or public works contracts up to \$35,000 which are identified within the department's annual adopted budget as follows:

All estimated *purchases of Goods*:

- Less than \$20,000 but greater than \$10,000 require a written request for a quote (RFQ) and written/fax quotes from 3 vendors. Purchaser shall attach quotes, approved purchase order, and RFQ to the voucher, prior to submission to the Town Board for payment.

- Less than \$10,000 but greater than \$1,000 require an oral request for the goods and oral/fax quotes from 2 vendors. Purchaser shall attach quotes to the approved purchase order and voucher, prior to submission to the Town Board for payment.
- Less than \$1,000 are left to discretion of the Purchaser.

All estimated Public Works Contracts:

- Less than \$35,000 but greater than \$10,000 require a written RFQ and fax/proposals from 3 contractors. Purchaser shall attach quotes, approved purchase order, and RFQ to the voucher, prior to submission to the Town Board for payment.
- Less than \$10,000 but greater than \$3,000 require quotes from 2 contractors. Purchaser shall attach quotes to the approved purchase order and voucher, prior to submission to the Town Board for payment.
- Less than \$3,000 are left to the discretion of the Purchaser.

Any written RFQ (Request for Quote) shall describe the desired goods, quantity, and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered. The above procedures are hereby identified as the procedures required (§9-4) as part of Town of Canandaigua Town Code, Chapter 9, Contracts, Article I, Best Value Policy.

Any information gathered in complying with the procedures of this Policy shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract in the office of the Town Clerk. This information shall include the vendors Certificate of Liability Insurance, signed contract, and if required a signed Independent Contractor Supplemental Terms and Conditions.

By Town Board resolution, the lowest responsive/responsible quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the Town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quoted be a bar to the procurement.

6. In the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of the Town of Canandaigua require immediate action which cannot await the obtaining of quotes, or in the case when the Town Board determines that an emergency exists relative to an unsafe building in accordance with Chapter 65, Unsafe Buildings, of the Code of the Town of Canandaigua, contracts for public work or the purchase of supplies, material or equipment may be let by either the appropriate officer or by the Town Board of the Town of Canandaigua notwithstanding the purchasing methods set forth above.
7. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

1. Acquisition of professional services;
  2. Emergencies;
  3. Sole Source situations;
  4. Goods purchased from agencies for the blind or severely handicapped;
  5. Goods purchased from correctional facilities;
  6. Goods purchased from another governmental agency;
  7. Goods purchased at auction;
  8. Goods purchased for less than \$1,000.00;
  9. Public works contracts for less than \$3,000.00
8. Unless goods or services are being purchased off the State Bid listing or by piggy-backing off another municipality's contract, a department head shall solicit RFQs at a minimum of every four (4) years.
9. It shall be the responsibility of all officers and employees to adhere to the procurement policy. The Town Manager shall be responsible to enforce the policy, and notify the Town Board of instances where the procurement policy has not been followed.
10. The Town Board reserves the right to reject any and all bids, re-bid, negotiate any contracts, award the contract to the bid which, in the Town Board's sole discretion, best serves the interests of the Town and waive any formalities in the bid process.
11. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.



# ATTACHMENT 11

# Town of Canandaigua Wire Transfers and Online Banking Policy

~~Adopted: January 8, 2018~~

## PURPOSE

The Town Board of the Town of Canandaigua recognizes the use of various electronic banking transactions including wire transfers and online banking activity as a faster, easier, and more efficient substitute for paper transactions. The purpose of this policy is to provide a framework of procedures, authorized by the Town Board, in order to ensure the proper protocols are followed for all online banking activity. This policy will outline what online banking activities and electronic funds transactions the Town of Canandaigua may engage in, and the responsibilities of certain individuals in order to establish a segregation of duties.

## POLICY

Electronic banking uses computer and electronic technology to streamline the processing and recording of receipts and disbursements, while reducing the cost of processing these transactions. Receipts, disbursements and transfers in proper circumstances can be processed via electronic funds transfer (EFT) services, whether transferring funds from a savings to a checking account at the same bank, or making a payment to a vendor's bank across the country. Internal controls, such as written policies and procedures, authorizations, segregation of duties and monitoring.

The Town Board hereby authorizes the Town Supervisor or Town Manager or ~~Bookkeeper Clerk (Finance)~~ or Town Clerk, to engage in electronic banking in accordance with all applicable laws and regulations including General Municipal Law Section 5-a authorizing the use of electronic or wire transfers and in conformity with the guidelines established by this policy. The ~~Bookkeeper Clerk (Finance)~~ is hereby authorized to initiate wire transfers when appropriate based on approved expenditures by the Town Board. The Town Manager is hereby directed to receive notice and review such wire transfers for confirmation of authorization by the Town Board.

The Town Board also recognizes that most banking institutions no longer provide cancelled paper checks to their customers, but instead offer an electronic image obtained online. As such, the Town Board authorizes the acceptance of these electronic images in lieu of cancelled checks in accordance with General Municipal Law Section 99-b(2).

## SCOPE

Electronic banking activities will be used for, but not limited, to the following:

1. Online banking services (reviewing account balances, retrieving bank statements, downloading copies of cancelled checks, making stop payment orders, etc.)
2. Electronic depositing of checks received
3. Pre-authorized debit payments
4. ACH vendor payments
5. EFT or wire transfers
6. Electronic Federal Tax Payment System(EFTPS)

## 7. Electronic State Tax Payment System (Prompt Tax)

### **SAFEGUARDS**

All electronic fund transfers shall be reviewed by the ~~Town Bookkeeper Clerk (Finance)~~ who reviews the bank statements. The ~~Bookkeeper Clerk (Finance)~~ and/or the Town Clerk shall be responsible for initiating transfers, only after receiving approval from the Town Board. The Town of Canandaigua's auditing firm shall provide monthly reconciliation and review in order to provide safeguards relating to separation of duties. All banking transactions for the Town will be conducted on a secure computer.

The Town Manager shall be responsible to ensure that employees with electronic access to bank accounts who leave Town employment are properly removed from the accounts, effective with the termination of employment. In the case of the Town Supervisor not being able to perform his or her duties the Deputy Town Supervisor shall be responsible. If the Town Supervisor leaves employment by the Town of Canandaigua or is unable to perform the required access limitations, then the Town Board may choose to direct the Town Manager to restrict access for the person who is no longer employed by the Town.

### **MONITORING**

The Town Board is responsible for implementing adequate internal controls for each of the electronic banking methods utilized. An effective internal control system includes, but is not limited to, segregation of duties, proper authorization, and adequate documentation for all electronic transactions. As such, the Town Board of the Town of Canandaigua authorizes the Town Manager to serve as a sub-user for the Town's Online Banking Activity for all accounts for the purpose of receipt of alerts of all wire transfers, and in order to view all online banking activity. The Town Manager is directed to cause to be received by the Town Manager, an automatic alert for all wire transfers associated with Town accounts. The Town Manager should present any findings of concern or questions directly to the Town Board.

# ATTACHMENT 12

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## Reserve Fund for Payment of Bonded Indebtedness (GML Section 6-h)

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- Purpose:** To pay or purchase one or more issues of certain bonds of a town, village, city, county, or fire district; however, such a bonded indebtedness reserve fund may not be established for, or used to pay, obligations payable in the first instance from assessments or from taxes levied on an area smaller than the entire town, village, city, county, or fire district.
- Expenditures may be made only for the payment of the principal and interest on bonds issued by such municipality or fire district and forming a part of an issue having a maximum maturity of not less than five years or for the purchase of bonds issued by such municipality or fire district and forming a part of an issue having a maximum maturity of not less than five years, subject to certain additional restrictions as to purchase price and terms. If the current budget provides for payment of principal and interest on bonds or the purchase of them from sources other than a reserve fund, moneys of the bonded indebtedness reserve fund may not be used to pay debt service or purchase the bonds during the current fiscal year.
- Who May Create:** Municipal corporations (counties, towns, cities, villages) and fire districts.
- How to Create and Use:** Created by resolution of the governing board. Appropriation pursuant to resolution of the governing board to expend money on permitted uses. No referendum is required to establish or expend moneys from the bonded indebtedness reserve fund.
- Sources of Funds:** Budgetary appropriations, revenues not otherwise appropriated or required by law to be paid into any other fund or account (e.g., transfers from unexpended balances of existing appropriations, surplus moneys).
- Special Provisions:** In any town located wholly or partly within the Adirondack Park (see Appendix B) that has State lands subject to taxation assessed at more than 30 percent of the total taxable assessed valuation of the town, a bonded indebtedness reserve fund may not be established unless the State Comptroller consents, and no expenditure or transfer may be made unless the State Comptroller consents.
- Use of Unexpended Funds:** The governing board of a municipal corporation may, subject to a permissive referendum, authorize the transfer of all or a portion of a bonded indebtedness reserve fund to a capital reserve fund. In a fire district, subject to voter approval at a regular or special election, the board of fire commissioners may authorize a transfer of all or a portion of the fund to a capital reserve fund.

# ATTACHMENT 13

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## Solid Waste Management Facility Reserve (GML Section 6-o)

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- Purpose:** To pay for the design, construction, and operation of solid waste management facilities owned or operated by a municipality, and for closure, or post-closure care, including operation and maintenance expenses of solid waste management facilities owned or operated by or on behalf of such municipality.
- Who May Create:** A municipal corporation (county, town, village, city) or its designated agency, a solid waste management district, and a public authority or public benefit corporation having power to construct, operate, and maintain a solid waste management facility.
- How to Create and Use:** Created by resolution of the governing board. A referendum is not required either to create or expend moneys from the reserve.
- Sources of Funds:** Amounts as the governing board may, from time to time, deem appropriate, including but not limited to a percentage of fees received by the municipality from operation of the solid waste management facilities.
- Use of Unexpended Balances:** The governing board may authorize the transfer of any unexpended balance from the solid waste management facility reserve fund to the credit of a capital reserve fund, if the unexpended balance remaining in the fund “established for a specific capital improvement” has been completed, after deducting from such unexpended balance a sum sufficient to satisfy all outstanding claims arising from the construction, reconstruction, or acquisition of such capital improvement.

# ATTACHMENT 14



**11/19/18**

**Open Space Master Plan Implementation**

**Strategy 4.4, Replenish and maintain the Town's Open Space Capital Reserve Fund**

**A. Commit to an annual appropriation for open space and conservation, to be used for acquisition as well as administration and inspection of donated easements.**

With the adoption of the Open Space Master Plan by the Town, we understand that the 2019 Budget does not include a commitment of funds to the Open Space Fund. We also understand that at the end of year 2018 there may be an unexpended funds balance. It is the recommendation of the ECB that if such a balance occurs a transfer of funds to the Open Space Fund be made.

**RECOMMENDATION: That a transfer of \$150,000 from the unexpended funds balance be made to the Open Space Capital Reserve Fund during the 2018 budget year.**

Respectfully submitted,

Joyce Marthaller, Chair  
Environmental Conservation Board

cc: ECB  
Doug Finch, Town Manager

# ATTACHMENT 15

## Town Manager

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**From:** Chris Jensen [cjensen@townofcanandaigua.org]  
**Sent:** Monday, November 05, 2018 8:39 AM  
**To:** 'Town Manager'  
**Cc:** 'Jim Fletcher'; tbennett@townofcanandaigua.org; 'Dennis Brewer'  
**Subject:** Onanda  
**Attachments:** County Road 16 4965 1956-08-24 Camp Gorham Septic.pdf; County Road 16 4965 1956-08-24 Camp Utility Plan.pdf

Attached is the 1956 plan that George Barden dug up for us.

Second plan is a blow up of Gorham's system.

Consists of a 1725 Gallon tank.. which discharges into a 'SplitFlow manhole'.. diverting the flow to (2) distribution boxes which each have (4) 55ft long leach lines.

1 – Replace the cast iron lines from the hall to the tank

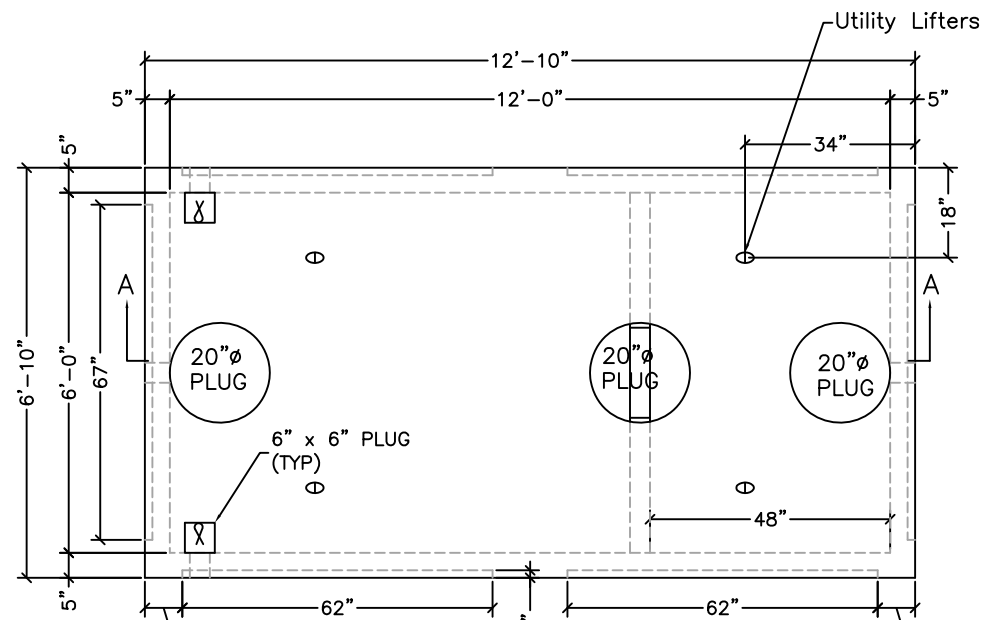
2 – Replace 1725 gal tank with new. 1750-2000gal or so. (install alarm? Since we do not know the condition of the leach field?)

Future...

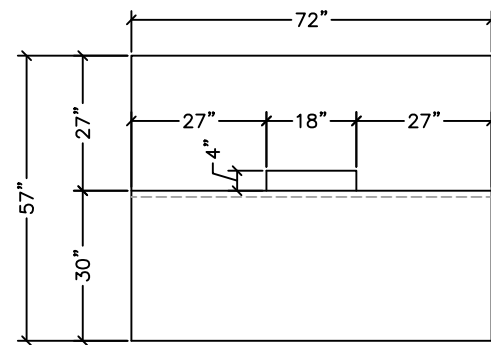
Examine the lines. The distribution boxes are dry.. the lines haven't seen much discharge.. the hall isn't used that much. A quantity of the lines are under the drive.

Determine what the future holds for the hall. There is a commercial kitchen in the hall – require grease separator.. larger system.. etc..

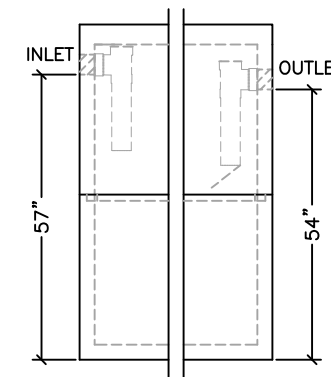
Chris Jensen PE  
Code Enforcement / Zoning Officer  
[Town of Canandaigua - Development Office](#)  
5440 Routes 5 & 20 West  
Canandaigua, NY 14424  
(cell) 585-315-3088



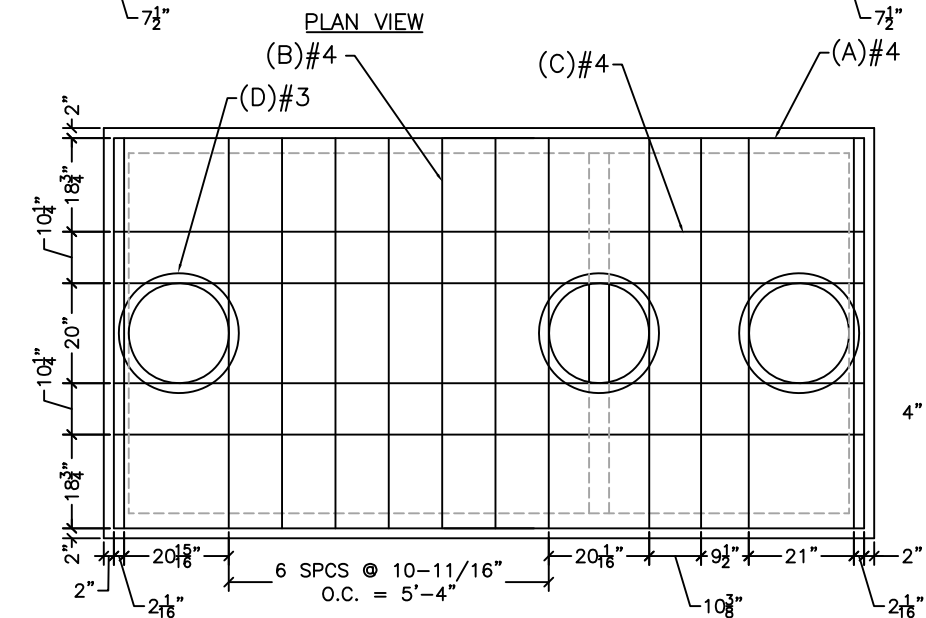
PLAN VIEW



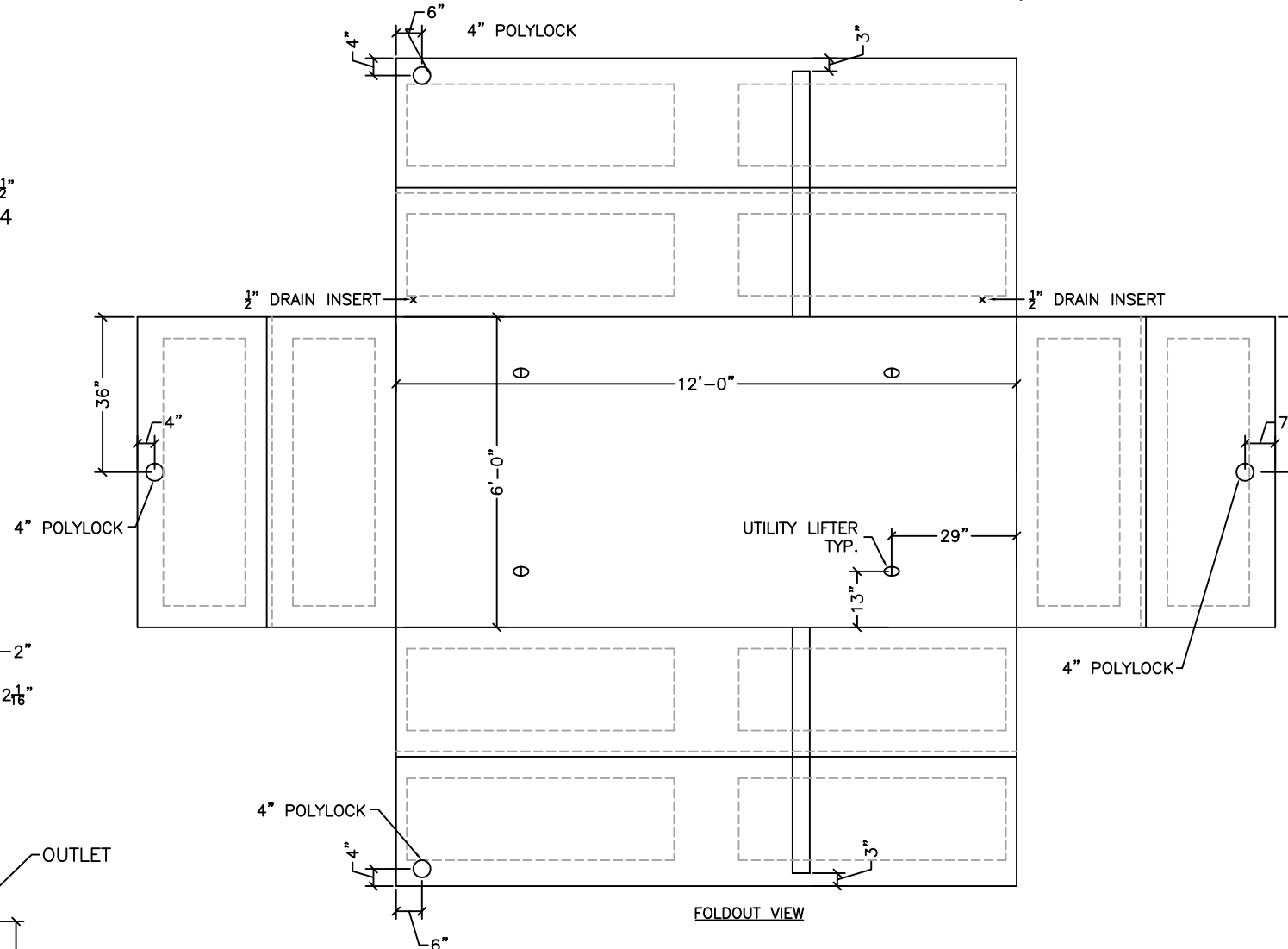
BAFFLE DETAIL



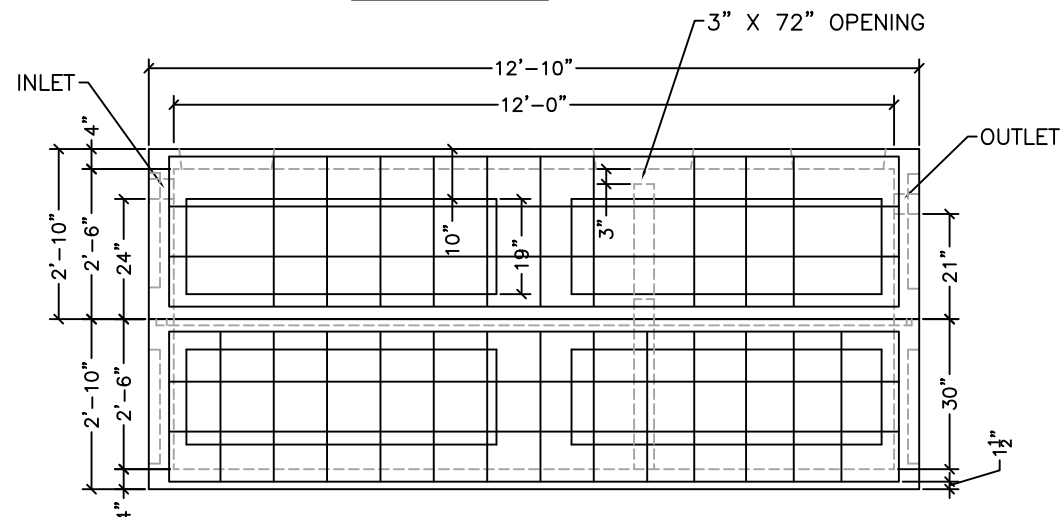
Note:  
 Inlet-Sanitary Tee  
 Outlet-Sanitary Tee w/ Gas Flap  
 Supplied By Lakelands  
 Installed By Contractor



STEEL PLAN VIEW



FOLDOUT VIEW



STEEL ELEVATION VIEW

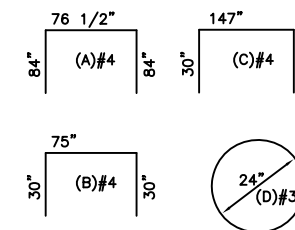
SEAL COVER WITH 1/2" BUTYL SEALANT

ST2200T  
 ST2200B

DATE: / /  
 MIX #: 58  
 FINISH (FORM): SMOOTH  
 (TROWEL): SMOOTH

SECTION	CU YD	WEIGHT: LBS
COVER	2.52	10198
RISER	-	-
BASE	2.52	10198
TOTAL	5.04	20397

REINFORCING				
MARK	SIZE	SHAPE	LENGTH	QTY
A	#4	U	20'-4 1/2"	12
B	#4	U	11'-3"	27
C	#4	U	17'-3"	8
D	#3	HOOP	7'-4"	3



EMBEDDED ITEMS

ITEM	DESCRIPTION	QTY
COVER		
204	1 1/2" WHEEL CHAIRS	8
-	UTILITY LIFTER (LUL614G)	4
-	20"Ø PLUG	3
-	6" x 6" PLUG	2
-	4"Ø OPENING W/POLYLOCK	4
BASE		
204	1" WHEEL CHAIRS	20
-	UTILITY LIFTER (LUL614G)	4
-	1/2" DRAIN INSERT	2
-	-	-
-	-	-

DESIGN CRITERIA

CONCRETE: 5000 PSI @ 28 DAYS  
 2000 PSI @ STRIPPING  
 ENTRAINED AIR: 5% - 9%  
 DESIGN LOADING: 300 PSF  
 REINFORCEMENT: BAR-ASTM A615 GR60  
 WWR-ASTM A185/A497 GR65

REV	DATE	DESCRIPTION
-	-	-

SEPTIC TANK  
 2200 GALLONS  
 MULTI-INLET



7520 EAST MAIN STREET, LIMA NY 14485  
 PH: 585-624-1990 - FAX: 585-624-2102

DRWN: DWI	CHKD:	DATE: 12/28/17
FILE PATH: PRODUCTS\SEPTIC\PRODUCTION		

## Town Manager

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**From:** Kaitlynn McCumiskey [kmccumiskey@townofcanandaigua.org]  
**Sent:** Thursday, November 08, 2018 3:28 PM  
**To:** 'Jim Fletcher'; 'Samantha Pierce'; 'Town Manager'  
**Subject:** FW: 2200 Gallon Septic tank  
**Attachments:** ST2200.pdf

I'm not sure how you want to use this as an attachment for the agenda. The attachment to the email only has the specs and the price quote is in the email text.

### Kaitlynn McCumiskey

Town of Canandaigua  
Highway & Water Department  
5440 Route 5 & 20 West  
Canandaigua, NY 14424  
(585) 394-3300  
(585) 394-9476 – Fax

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**From:** Zachary Stevens [<mailto:zstevens@lakelandsconcrete.com>]  
**Sent:** Thursday, November 08, 2018 2:58 PM  
**To:** [highway@townofcanandaigua.org](mailto:highway@townofcanandaigua.org)  
**Subject:** 2200 Gallon Septic tank

Attached please find the cut sheet for our standard 2200 Gallon (Non-Traffic Rated Tank)  
The price for this tank delivered to Canandaigua is \$2467. This includes delivery and setting tank provided Lakelands has proper access to the prepared hole.



Zachary Stevens  
Sales: Utility  
Lakelands Concrete Products Inc.  
(585)624-1990 ext. 204  
[zstevens@lakelandsconcrete.com](mailto:zstevens@lakelandsconcrete.com)



QUOTATION FROM:

# KISTNER CONCRETE PRODUCTS, INC.

SUPERIOR PRECAST PRODUCTS

MAIN SALES OFFICE

P.O. BOX 218 8713 READ ROAD EAST PEMBROKE, N.Y. 14056

716-894-2267 BUFFALO LINE 585-762-8216 EAST PEMBROKE LINE

FAX 585-762-8315 WEBSITE: <http://www.kistner.com> E-MAIL: [kistner@kistner.com](mailto:kistner@kistner.com)

PHONE:

FAX:

ATTN: Jim Fletcher

PROJECT: **Onanda Park - Canandaigua**  
*rev#1 11/9/18 non-traffic option*

TO: Town of Canandaigua

LOCATION: Canandaigua, NY

OWNER:

ENGR.: none

CUSTOMER # :

FILE NAME: Onanda Park - Canandaigua

BID DATE: 11/6/2018

WE ARE PLEASED TO QUOTE AS FOLLOWS:

PAGE: OF

QTY	UNIT	ITEM	DESCRIPTION	UNIT PRICE	TOTAL
***** QUOTE GOOD FOR 90 DAYS AFTER BID DATE *****					
*** Any portion of project released for production after 90 days from Sold date will be subject to pricing review ***					
1	ea		2000 Gallon Septic Tank - two compartment (stock)	\$ 2,945.00	
1	ea		Zabel A-100	\$ 231.00	
			<b>Delivered and Set</b>		
			13'-0" Max reach and max depth when setting		
			Dropped in one spot when unloading		
			1 hr allowed O.T. @ \$130/HR		
1	ea		<b>Freight Delivery</b>	\$ 400.00	
			<b>Kistner Includes:</b>		
			Meeting current DEC Guidelines		
			Desing Loading: <b>Non-Traffic</b>		
			Bitumastic coatings: None		
			Holes - Contractor to grout		
			Pipe seals - 4" Stock		
			<b>Contractor to Supply:</b>		
			Excavation with all large rock & debris removed, water to fill tank (If tank is placed in wet area or area of high water table), Risers, frames & covers, proper sealing of joints to achive watertightness (See Kistner detail for watertight joint installation) and all Misc items.		
			<b>Additional items that maybe required:</b>		
	EA	NON	Non traffic - 6" tall (Max 3' Fill)	\$ 49.00	
	EA	TRAFFI	Non traffic - 12" tall (Max 3' Fill)	\$ 53.00	
	EA	C - MAX	Frame & Cover - Non traffic tank- 18" dia Bolted & Gasketed	\$ 425.00	

- 1.) All orders are subject to state and applicable taxes.
- 2.) If applicable, a valid tax exemption certificate must be submitted at the time of order.
- 3.) Payment by certified check required on delivery. Special orders require down payment.
- 4.) Non-cod orders require payment arrangements to be made in advance with credit department
- 5.) Acceptance of this offer is subject to Kistner standard terms & conditions.
- 6.) Lifting apparatus will require payment on delivery.

Manufacturing and delivery schedule to be determined during negotiations

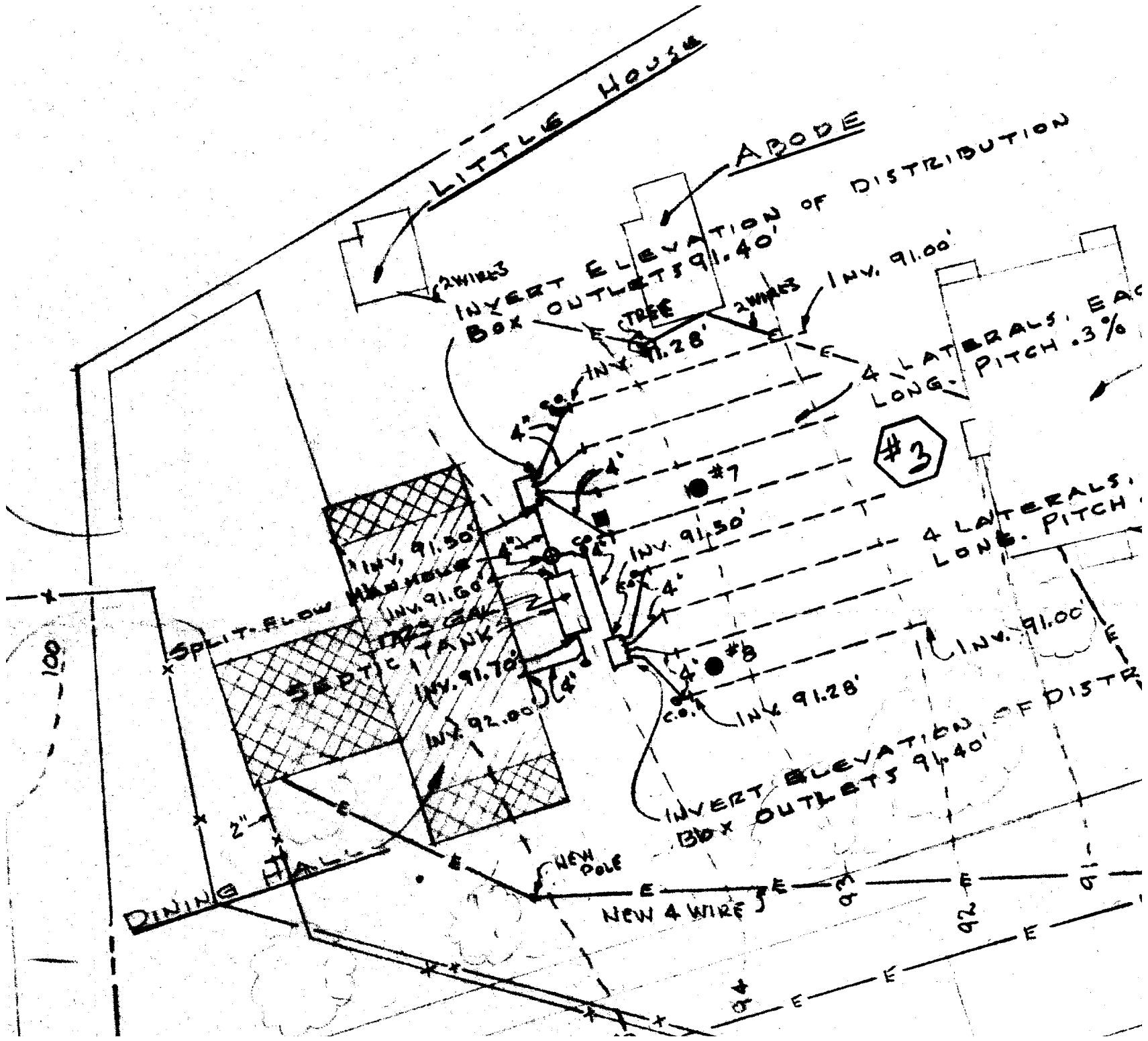
Delivery to be supplied after receipt of signed quote and approved drawings

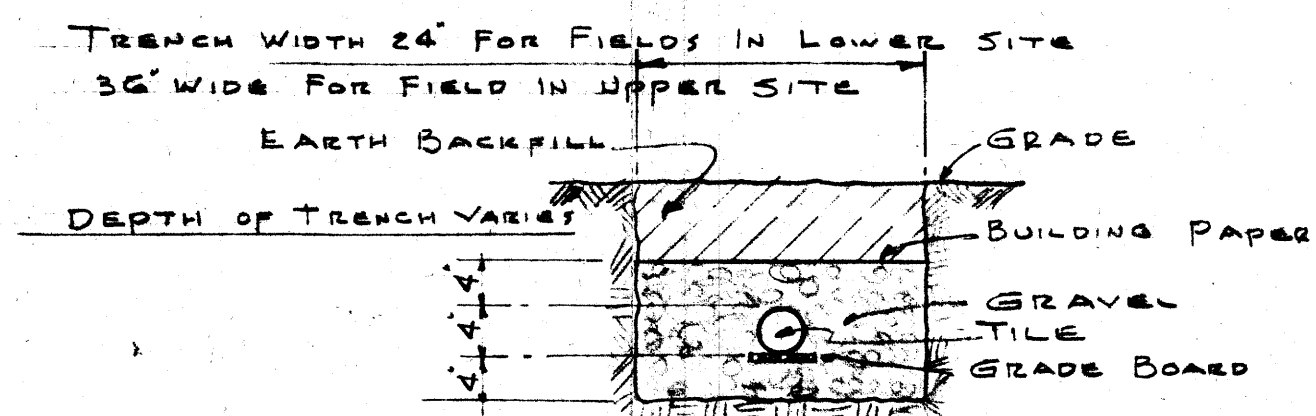
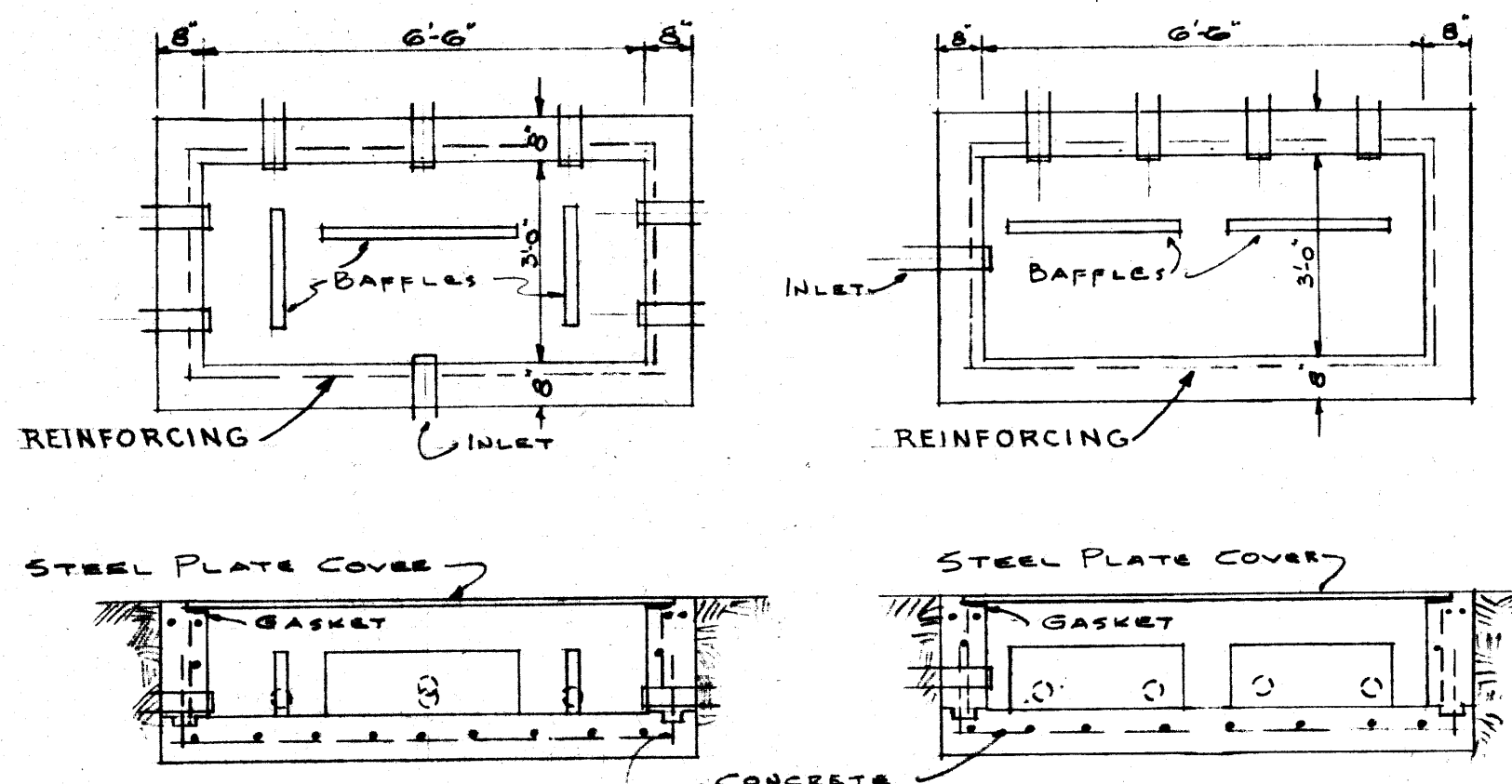
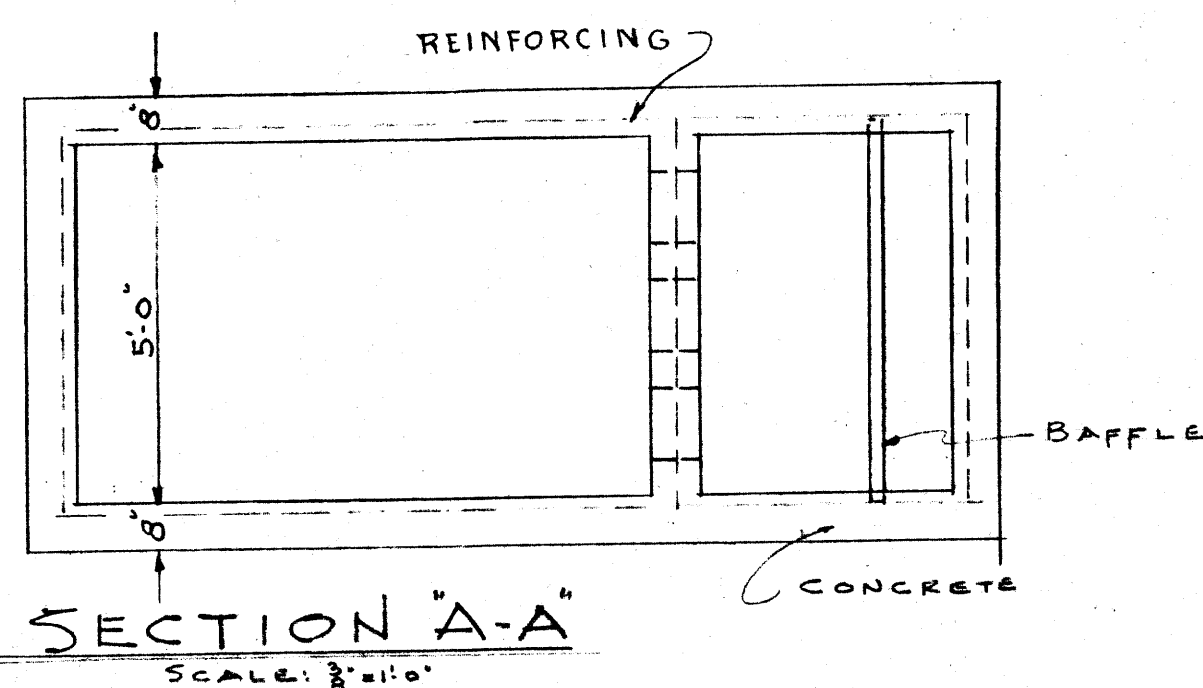
ACCEPTED BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

SIGNED: \_\_\_\_\_ Karen Joyce

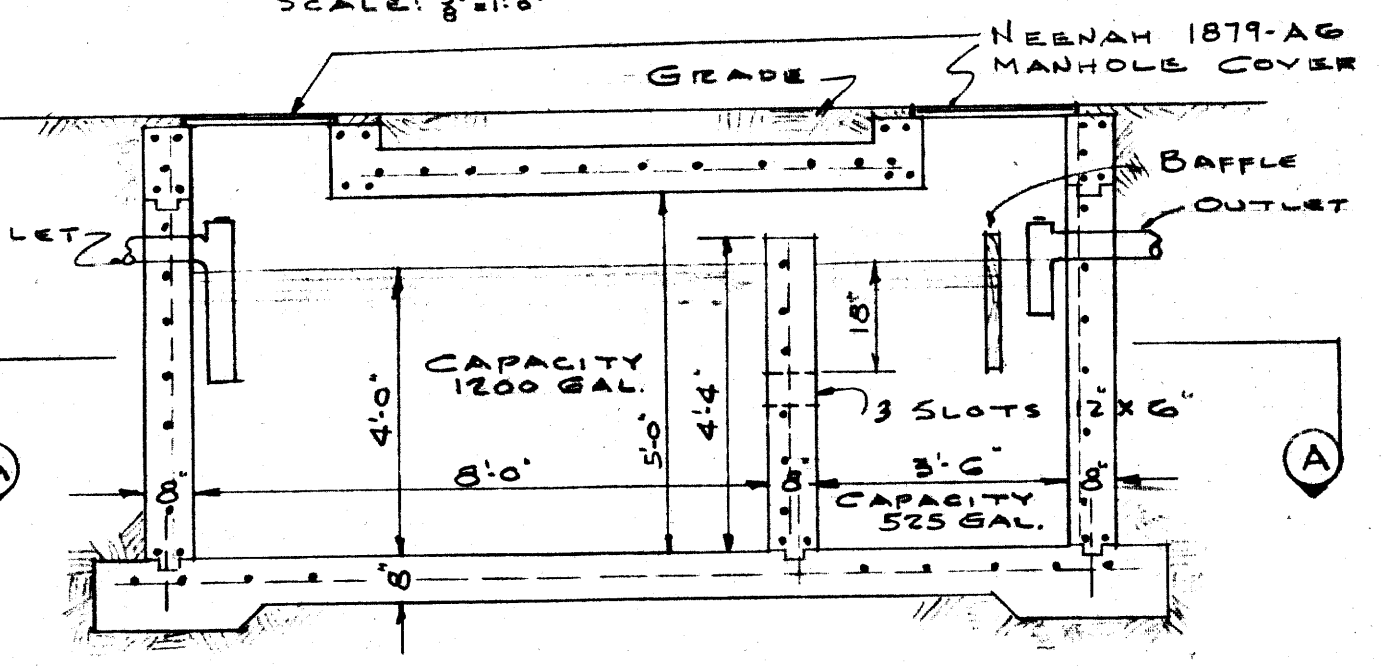
**Kistner Concrete Products, Inc.**



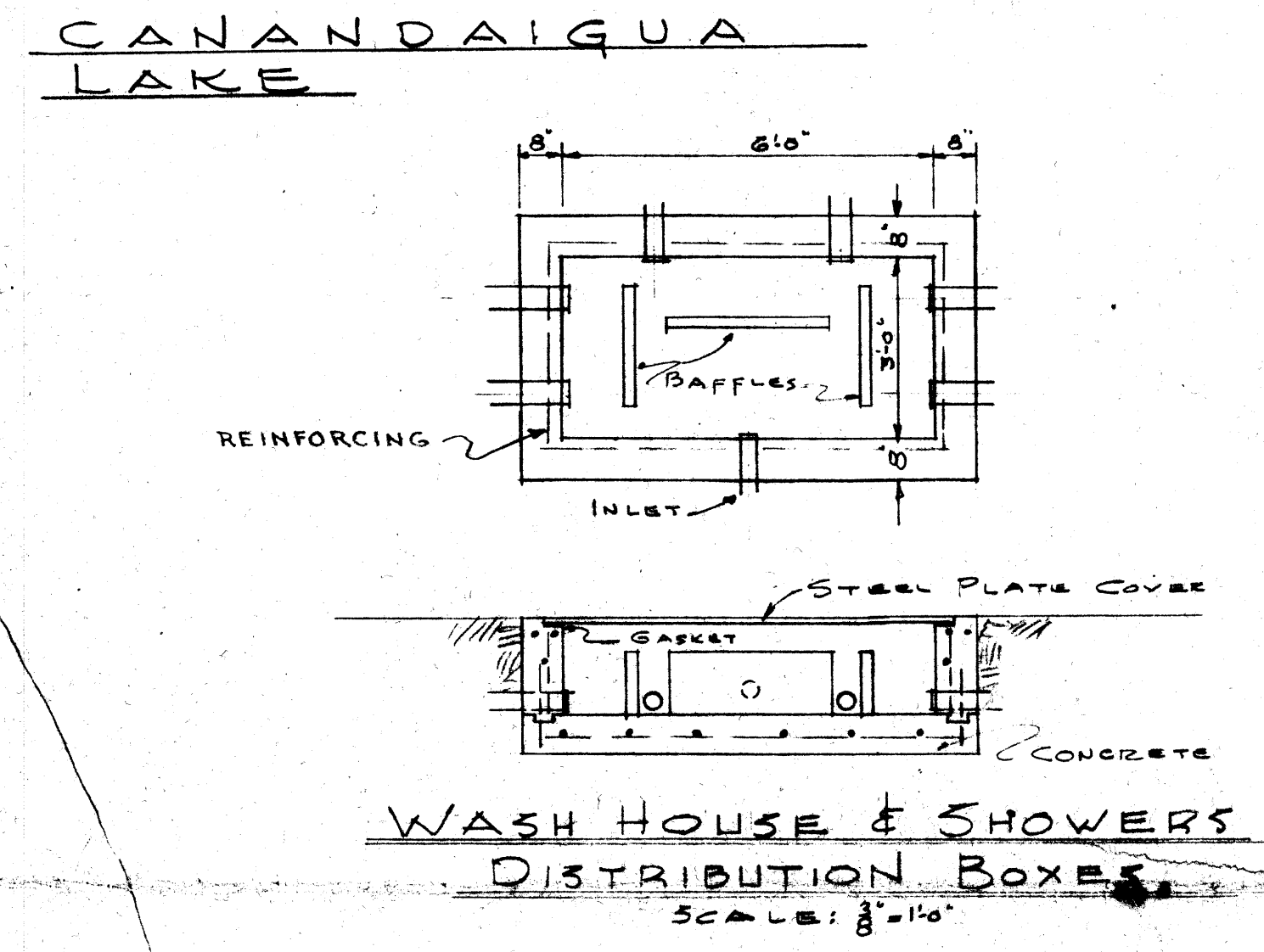


TYPICAL SECTION OF LEACH BED  
SCALE: 3/8"=1'-0"  
NOTE: TILE LATERALS SHALL BE NOT LESS THAN 10'-0" ON CENTER.

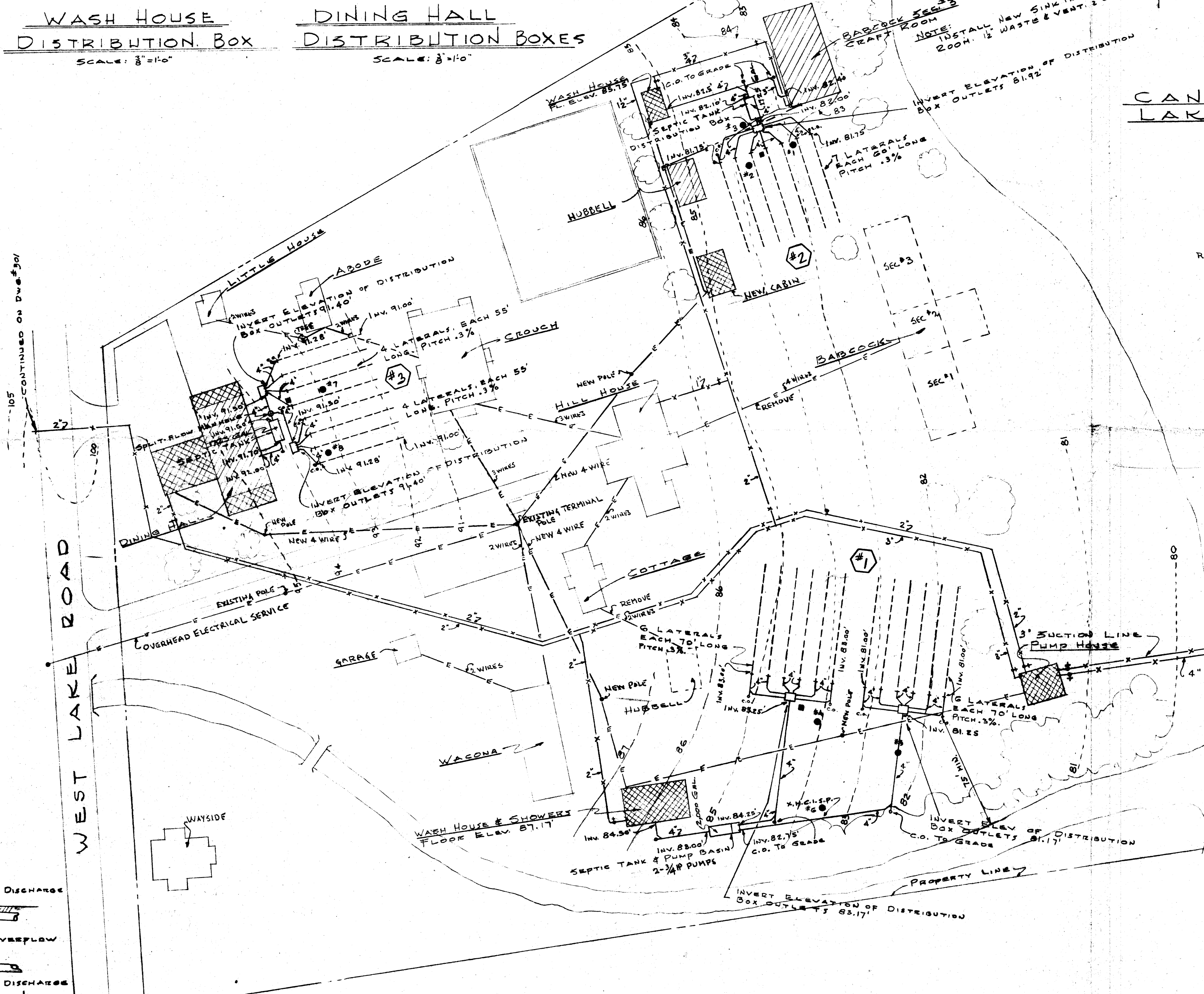
WASH HOUSE DISTRIBUTION BOX SCALE: 3/8"=1'-0"  
DINING HALL DISTRIBUTION BOXES SCALE: 3/8"=1'-0"



TYPICAL SEPTIC TANK FOR DINING HALL & WASH HOUSES SCALE: 3/8"=1'-0"



WASH HOUSE & SHOWERS DISTRIBUTION BOXES SCALE: 3/8"=1'-0"



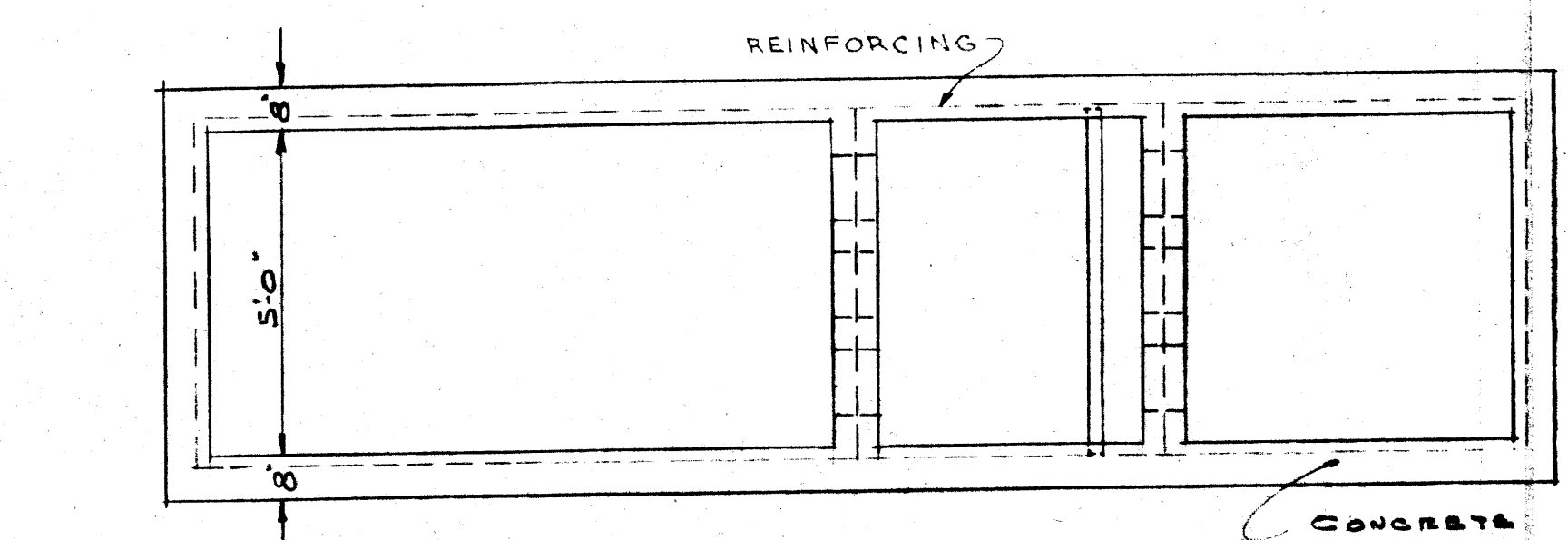
PLOT PLAN OF EXISTING CAMP AREA SCALE: 1"=40'-0"

- REINFORCING NOTES -
- 1- CONCRETE WALLS - #4 BARS @ 8" VERT. & #4 BARS @ 12" HORIZ. PLACED AS SHOWN.
  - 2- GROUND SLAB - #4 BARS @ 10" EACH WAY
  - 3- ROOF SLAB - #4 BARS @ 10" SHORT WAY & #3 @ 12" LONG WAY
  - 4- 2- #6 BARS CONT. TOP & BOTTOM CONCRETE WALLS & CURBS
  - 5- #4 DOWELS @ 8" x 1'-6" LG. BETWEEN GROUND SLAB & WALLS.

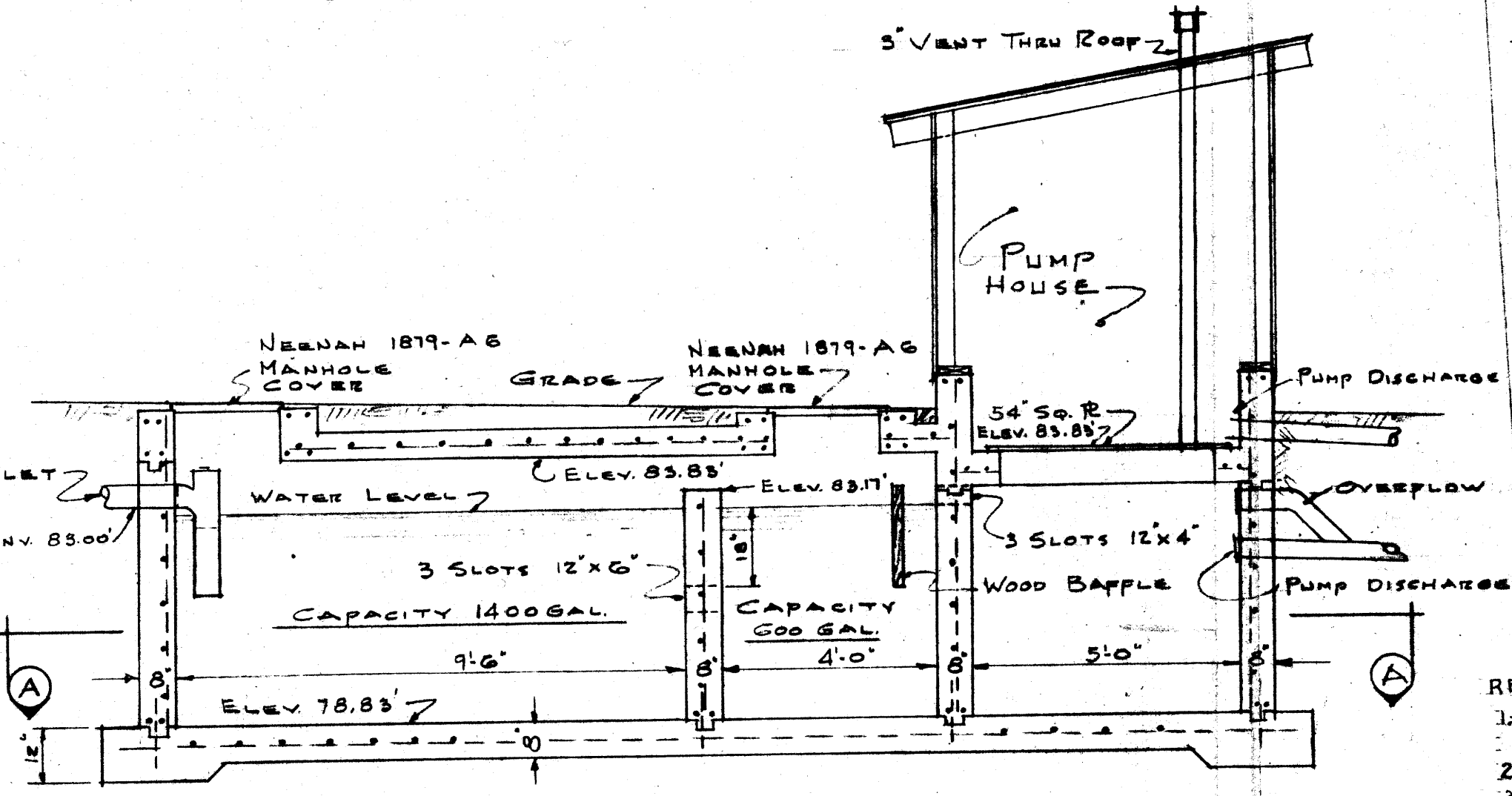
- KEY
- EXISTING BUILDINGS
  - EXISTING BUILDINGS MOVED TO NEW LOCATION
  - NEW CONSTRUCTION

SCHEDULE OF LOADING BY SYSTEMS

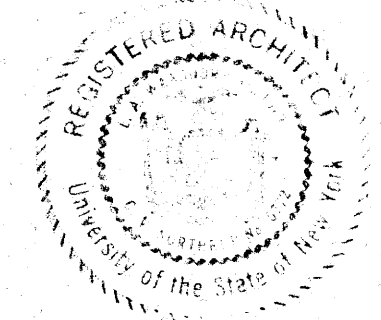
#1	SERVES - HILL HOUSE - 10 PEOPLE COTTAGE - 12 PEOPLE WAGONA - 20 PEOPLE TOTAL = 42 "	DESIGN LOADING - 4000 G.P.D.
#2	SERVES - HUBBELL SEC'S - 20 PEOPLE NEW CABIN - 10 " HILL HOUSE - 10 " TOTAL = 50 "	DESIGN LOADING - 3000 G.P.D.
#3	SERVES - DINING HALL - 200 PEOPLE SECOND FLOOR - 10 " TOTAL = 210 "	DESIGN LOADING - 3000 G.P.D.
#4	SERVES - 5 CABINS @ 9 PEOPLE = 45 PEOPLE	DESIGN LOADING - 2000 G.P.D.



SECTION A-A SCALE: 3/8"=1'-0"



DETAILS OF SEPTIC TANK & PUMP BASIN FOR WASH HOUSE & SHOWERS SCALE: 3/8"=1'-0"



CAMP ONANDA YWCA CAMP LAKE CANANDAIGUA	
DRAWN BY E.R.C. (Eugene R. C. Northrup)	PLUMBING
CHECKED BY E.R.C.	WAASDORP NORTHROP ARCHT. CTS.
JOB NO. 56-4027	740 EAST AV. ROCHESTER 7, N.Y.
SCALE AS NOTED	PLOT PLAN EXISTING CAMP AREA
DATE AUG 24, 56	DRAWING NO. 300

10/29/56 GENERAL REVISIONS E.R.C.  
9-17-56 ELECTRICAL FEEDERS ADDED. E.R.C.



# ATTACHMENT 16

October 24, 2018

Doug Finch, Town Manager  
Town of Canandaigua  
5440 5 & 20 West  
Canandaigua, NY 14424

**RE: PROPOSAL FOR PROFESSIONAL SERVICES  
CANANDAIGUA CONSOLIDATED CAPITAL IMPROVEMENT PROJECT 2019  
PRELIMINARY/FINAL DESIGN AND CONSTRUCTION PHASE**

Dear Doug:

In coordination with the Town of Canandaigua's plans to address their aging infrastructure in the upcoming years, including replacement of the West Street Booster Station and Cramer Road Tank, MRB Group was authorized to develop a Preliminary Engineering Report (PER) for a significant capital improvement project. This project would include construction of a new booster station, new water-storage tanks and transmission main for the Canandaigua Consolidated Water District. The following proposal for professional services outlines the scope and fee to survey and design the new water booster station, water storage tanks, tank control building, and transmission main.

## **I. Background**

The Town of Canandaigua completed a Water Master Plan in 2017. The Water Master plan identified significant capital improvements needed to address the undersized West Street Pump Station and aging Cramer Road Tank. A transmission main is required to connect the new Canandaigua Consolidated Water District Booster Station (CCWDBS) to the proposed twin finished water-storage tanks on Cramer Road. The proposed CCWDBS will be located adjacent to the City of Canandaigua's 11 MG (total) water storage tanks on County Road 16. The Transmission main will cross back lots to Middle Cheshire Road from the new CCWDBS.



**II. Scope of Services and Compensation**

MRB Group proposes to provide the scope of services as described below:

- Basic Engineering Services – includes Design Survey, Design, Geotechnical Services, Bidding and Construction Administration Phase services to be conducted on a lump sum fee basis.
- Construction Observation Services – includes construction observation to be conducted on an hourly, not-to-exceed basis and is estimated at this time.
- Authorized Supplemental Engineering Services – includes funds for Easements documents and other additional services. Additional services provided by MRB Group will be billed on an hourly basis, not-to-exceed the Additional Services Total Amount.

The scope of services is described in more detail below:

**III. Basic Engineering Services**

**A. Design Survey**

1. Provide a design survey of at the proposed Booster Station at the city WTP site, the Cramer Road Tank Site and along the proposed transmission main. The survey will define topography and locate existing topographic features, existing utilities (based on available record information from utility owners), existing buildings, structures, tank and pavement limits to the extent necessary for the preparation of drawings for incorporation into construction contract documents for the project.
2. Boundary survey of the Cramer Road Tank Site and partial Boundary of the City of Canandaigua WTP for the purpose of location of improvements and easement preparation.
3. Surveying will be performed under the direction of a New York State licensed land surveyor.

**Subtotal of A, Items 1-3 .....\$40,000.00**

**B. Design Phase:**



1. Prepare site, civil, structural, and MEP design drawings/specifications for the following improvements:
  - i. New Canandaigua Consolidated Booster Station located at the City of Canandaigua WTP site, site improvements, emergency power and appurtenances.
  - ii. Chlorine chemical feed system and storage as part of the Booster Station.
  - iii. Demolition of the existing steel finished water storage tank and replacement with twin 1.0 MG glass lined steel water storage tanks, site improvements, Tank Valve Control Building and appurtenances.
  - iv. Disinfection Byproducts removal system and tank mixing system.
  - v. Transmission main from the Booster Station to Middle Cheshire Road and from Cramer Road to the Tank Control Building and miscellaneous appurtenances.
  
2. Provide Contract documents for public bid of the work utilizing the EJCDC Standard Terms and Conditions and Construction Specifications Institute section format. Since the overall construction cost is anticipated to be greater than \$500,000, the work will be bid as separate contracts for General (2 contracts – Cramer Road Tank and the Booster Station), Electrical, HVAC and Plumbing work as required by municipal law.
  
3. Submit Contract Documents to the NYS DOH and NYS EFC (assuming a WIA Grant Award) for approval. Work with the NYS DOH and NYS EFC to resolve any questions or comments they have regarding the design and provide a re-submittal for final approval. Produce final set for bidding purposes (anticipated to be bid in PDF format on CD's).

**Subtotal of B, Items 1 – 3.....\$415,000.00**

- C. Geotechnical Investigations:
  - 1. Define a Geotechnical Investigation program based on the general nature, scope, and extent of the geotechnical aspects of the Project.
  - 2. Perform geotechnical examinations and subsurface explorations of the Site based on the program defined above.
  - 3. Analyze the results of Site explorations and tests and prepare a written Geotechnical Report that contains geotechnical information required by Engineer for the design of the Project
  - 4. Provide copies of the Report to the Town and make copies available to bidders during the bidding of the project.

**Subtotal of C, Items 1-4 .....\$25,000.00**

- D. Bidding:

MRB Group will prepare bid documents for public bid. It is anticipated that this project will require up to five (5) contracts. Bidding services include:

- 1. Prepare Bid Documents: MRB Group will prepare an advertisement for bid to be published by the Town, coordinate publication of the bid documents and distribute the documents on behalf of the Town. Plans and specifications will be provided to the Town to allow local contractors to review the plans and specifications at the Town Hall. Electronic bidding documents (in PDF format) will be distributed to bidders.
- 2. Addenda: MRB Group will prepare addenda based on questions and comments received from bidders during the bid process.
- 3. Attend and chair a Pre-bid meeting for potential bidders to answer questions and clarifications to bid documents.
- 4. Bid Opening: MRB Group will attend the bid opening and review the bids received for completeness and conformance with the bidding requirements. A bid review and summary will



be provided to the Town for their assistance in awarding the contracts.

**Subtotal of D, Items 1-4.....\$35,000.00**

E. Construction Administration:

MRB Group will administer the construction contracts, currently estimated and based on a 12-month construction duration by conducting the following:

1. Prepare conformed sets of contract documents for execution by the Town and Contractor. Conformed sets of Contract documents will incorporate all addenda issued during the bidding process and will included required bonds and insurance.
2. Issue notice to proceed.
3. Coordinate and chair Pre-Construction meeting and progress meetings with the Contractor, prepare and distribute meeting minutes.
4. Assist Town with procuring special inspections as needed for NYS Building Code.
5. Review shop drawings and submittals.
6. Issue change orders as needed.
7. Review payment applications and provide to Town for monthly payments.
8. Provide assistance in obtaining construction closeout documentation.
9. Provide Record Drawings of the completed project and provide two (2) hard copies of plans and a PDF version on a CD to the Owner for their records.

**Subtotal of E, Items 1-9 .....\$185,000.00**

F. Construction Observation:

1. Provide observation of construction on an hourly, not-to-exceed basis as needed. Observation shall also include performing weekly SWPPP inspections in accordance with NYSDEC regulations. The Observation is estimated based on the following: 1 observer x 40 hrs/week for a period of 40 weeks (10 months) x \$90/hr = \$144,000 + \$4,000 (approx. mileage at \$100/wk x 40 wks) = Total of approximately \$148,000. If additional contract time is needed or overtime hours due to the nature of construction, additional services may be requested as needed.

**Total Construction Observation (Hourly).....\$148,000.00**

G. Supplemental Services – Provided below are examples of items which could potentially be covered through Additional Services, as needed.

1. Assistance with compliance with SEQR beyond the previous determination, further environmental review including NEPA, further assistance with archeological investigation review or other environmental hazards surveys or reporting requirements.
2. Additional assistance relating to hazardous material abatement and revisions to the design to accommodate any abatement during construction.
3. On-site Observation Services and Construction Administration Services above and beyond anticipated efforts as outlined above.
4. Assisting Owner with startup and attunement of equipment and systems, training Owner's staff to operate and maintain equipment and systems developing procedures for operation, maintenance and recordkeeping for equipment and systems, and review of O&M manuals, above and beyond anticipated under Basic Services



- 5. Printing of hardcopy sets of reports, plans, specifications or other large documents. Printing costs will be passed on directly to owner at cost under Additional Services.
- 6. Any other necessary or requested services that are not included in the Basic Services as defined above.
- 7. Further financial assistance or assistance or documentation required for other funding agencies beyond the NYS EFC and WIIA grant. Additional funding agency requirements, correspondences, or administration services; above and beyond those expected at the time of this proposal.
- 8. Coordination of Special Inspections, as required for NYS Uniform Building Code.

**Subtotal of G, Items 1-8 (hourly) .....\$25,000.00**

**Total Compensation.....\$873,000.00**

*The cost figures shown above represent our lump sum and hourly amount. Any additional work beyond this fee and outside the scope of this proposal would be reviewed with the Client. MRB Group shall submit monthly statements for services rendered during each invoicing period based on the efforts performed during that period. MRB Group's Standard Rates are subject to annual adjustment.*

**I. Standard Terms and Conditions**

It is anticipated that the above proposal will be followed by an EJCDC format (Engineers Joint Contract Documents Committee) Owner-Engineer agreement for professional services, in order to comply with potential future project funding. Terms and Conditions shall be as outlined in the EJCDC Engineering Agreement which shall preside over this proposal.




**II. Commencement of Work**

Upon receipt of the signed proposal, MRB Group will begin work on the project.

If this proposal is acceptable to you, please sign where indicated and return one copy to our office. We have included an additional copy for your records. Thank you for your consideration of our firm. We look forward to working with you on this project.

Sincerely,

  
Gregory J. Hotaling, P.E.  
Project Manager

  
James J. Oberst, P.E., LEED AP  
Executive Vice President/C.O.O.

\\mrbgroup.prv\Admindata\630006\Ltrs-Proposals\2018\gjh-Canandaigua Consolidated Water Project - Design and Construction.docx

<b>PROPOSAL ACCEPTED FOR THE _____ BY:</b>		
_____	_____	_____
<i>Signature</i>	<i>Title</i>	<i>Date</i>

# ATTACHMENT 17

# MRB *group* **LETTER OF TRANSMITTAL**

The Culver Road Armory  
 145 Culver Road, Suite 160  
 Rochester, NY 14620  
 585-381-9250  
 FAX 585-381-1008  
 Email: info@mrbgroup.com  
 www.mrbgroup.com

**DATE:** OCTOBER 15, 2018    **JOB No.:** 0300.16001  
**ATTENTION:** DOUG FINCH - TOWN MANAGER  
**RE:** TOWN OF CANANDAIGUA - HIGHWAY GARAGE

**To:** Town of Canandaigua  
 5440 Routes 5 & 20 West  
 Canandaigua, NY 14424

**WE ARE SENDING YOU**

<input type="checkbox"/> Shop drawings	<input type="checkbox"/> Attached	<input type="checkbox"/> Under separate cover via	the following items:
<input type="checkbox"/> Copy of letter	<input type="checkbox"/> Prints	<input type="checkbox"/> Plans	<input type="checkbox"/> Samples
	<input type="checkbox"/> Change Order	<input type="checkbox"/> Other	<input type="checkbox"/> Specifications

COPIES	DATE	NO.	DESCRIPTION
3	10/15/18	EC-04	Change Order EC-04 for signature

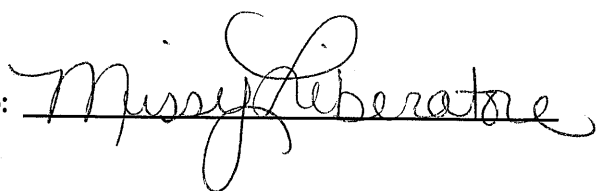
**THESE ARE TRANSMITTED as checked below:**

<input checked="" type="checkbox"/> For approval	<input type="checkbox"/> Approved as submitted	<input type="checkbox"/> Resubmit	copies for approval
<input type="checkbox"/> For your use	<input type="checkbox"/> Approved as noted	<input type="checkbox"/> Submit	copies for distribution
<input type="checkbox"/> As requested	<input type="checkbox"/> Returned for correction	<input type="checkbox"/> Return	corrected plans
<input type="checkbox"/> For review and comment	<input type="checkbox"/> Other		
<input type="checkbox"/> For bids due		<input type="checkbox"/> Prints returned after loan to us	

**REMARKS:**  
 Please sign all copies of the enclosed change order. Retain one for your files and return the remaining to our office.

Thank you

**COPY TO:** File

**SIGNED:** 

## CHANGE ORDER No. EC-04

Date of Issuance: October 10, 2018

Effective Date: October 10, 2018

Project: Canandaigua Highway Garage	Owner: Town of Canandaigua	Owner's Contract No.:
Contract: Electrical	Date of Contract: June 15, 2017	
Contractor: Billitier Electric	Engineer's Project No.: 0300.16001.000	

**The Contract Documents are modified as follows upon execution of this Change Order:**

Description: Credit for Fire Alarm Release in the amount of \$1,147.00 that was added in Change Order EC-03

**Attachments (list documents supporting change):** N/A

**CHANGE IN CONTRACT PRICE:**

**CHANGE IN CONTRACT TIMES:**

Original Contract Price:

\$428,200.00

[Increase] ~~[Decrease]~~ from previously approved Change Orders No. EC-01 to No. EC-03:

\$8,663.00

Contract Price prior to this Change Order:

\$436,863.00

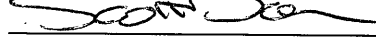
[~~Increase~~] [Decrease] of this Change Order:

\$ (1,147.00)

Contract Price incorporating this Change Order:

\$ 435,716.00

RECOMMENDED:

By:   
 Engineer (Authorized Signature)

Date: \_\_\_\_\_

Approved by Funding Agency (if applicable): \_\_\_\_\_

ACCEPTED:

By: \_\_\_\_\_  
 Owner (Authorized Signature)

Date: \_\_\_\_\_

ACCEPTED:

By:   
 Engineer (Authorized Signature)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Digitally signed by Jesse Giamartino  
 DN: cn=Jesse Giamartino, o=Billitier Electric,  
 ou=VP, email=jgiamartino@billitierelectric.com,  
 c=US, serial=041116  
 Date: 2018.10.10 10:41:16 -0400

**CHANGE ORDER No. EC-04**

Date of Issuance: October 10, 2018 Effective Date: October 10, 2018

Project: Canandaigua Highway Garage	Owner: Town of Canandaigua	Owner's Contract No.:
Contract: Electrical	Date of Contract: June 15, 2017	
Contractor: Billitier Electric	Engineer's Project No.: 0300.16001.000	

**The Contract Documents are modified as follows upon execution of this Change Order:**

Description: Credit for Fire Alarm Release in the amount of \$1,147.00 that was added in Change Order EC-03

**Attachments (list documents supporting change): N/A**

**CHANGE IN CONTRACT PRICE:**

**CHANGE IN CONTRACT TIMES:**

Original Contract Price:

\$428,200.00

Original Contract Times:  Working days  Calendar days

Substantial completion (days or date): \_\_\_\_\_

Ready for final payment (days or date): \_\_\_\_\_

[Increase] [~~Decrease~~] from previously approved  
 Change Orders No. EC-01 to No. EC-03:

\$8,663.00

[Increase] [Decrease] from previously approved Change Orders  
 No. \_\_\_\_\_ to No. \_\_\_\_\_:

Substantial completion (days): \_\_\_\_\_

Ready for final payment (days): \_\_\_\_\_

Contract Price prior to this Change Order:

\$436,863.00

Contract Times prior to this Change Order:

Substantial completion (days or date): \_\_\_\_\_

Ready for final payment (days or date): \_\_\_\_\_

[~~Increase~~] [Decrease] of this Change Order:

\$ (1,147.00)

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): \_\_\_\_\_

Ready for final payment (days or date): \_\_\_\_\_

Contract Price incorporating this Change  
 Order:

\$ 435,716.00

Contract Times with all approved Change Orders:

Substantial completion (days or date): \_\_\_\_\_

Ready for final payment (days or date): \_\_\_\_\_

**RECOMMENDED:**

By: [Signature]  
 Engineer (Authorized Signature)

Date: \_\_\_\_\_

Approved by Funding Agency (if applicable): \_\_\_\_\_

**ACCEPTED:**

By: \_\_\_\_\_  
 Owner (Authorized Signature)

Date: \_\_\_\_\_

**ACCEPTED:**

By: [Signature]

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Digitally signed by Jesse Giamartino  
 DN: cn=Jesse Giamartino, o=Billitier Electric,  
 ou=NY, email=jgiamartino@billitierelectric.com,  
 c=US  
 Date: 2018.10.10 14:05:00 -0400

## CHANGE ORDER No. EC-04

Date of Issuance: October 10, 2018      Effective Date: October 10, 2018

Project: Canandaigua Highway Garage	Owner: Town of Canandaigua	Owner's Contract No.:
Contract: Electrical		Date of Contract: June 15, 2017
Contractor: Billitier Electric		Engineer's Project No.: 0300.16001.000

**The Contract Documents are modified as follows upon execution of this Change Order:**

Description: Credit for Fire Alarm Release in the amount of \$1,147.00 that was added in Change Order EC-03

**Attachments (list documents supporting change):** N/A

**CHANGE IN CONTRACT PRICE:**

**CHANGE IN CONTRACT TIMES:**

Original Contract Price:

\$428,200.00

[Increase] ~~[Decrease]~~ from previously approved Change Orders No. EC-01 to No. EC-03:

\$8,663.00

Contract Price prior to this Change Order:

\$436,863.00

[Increase] [Decrease] of this Change Order:

\$ (1,147.00)

Contract Price incorporating this Change Order:

\$ 435,716.00

Original Contract Times:  Working days       Calendar days

Substantial completion (days or date): \_\_\_\_\_

Ready for final payment (days or date): \_\_\_\_\_

[Increase] [Decrease] from previously approved Change Orders No. \_\_\_\_\_ to No. \_\_\_\_\_:

Substantial completion (days): \_\_\_\_\_

Ready for final payment (days): \_\_\_\_\_

Contract Times prior to this Change Order:

Substantial completion (days or date): \_\_\_\_\_

Ready for final payment (days or date): \_\_\_\_\_

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): \_\_\_\_\_


Ready for final payment (days or date): \_\_\_\_\_

Contract Times with all approved Change Orders:

Substantial completion (days or date): \_\_\_\_\_

Ready for final payment (days or date): \_\_\_\_\_

**RECOMMENDED:**

By:   
 Engineer (Authorized Signature)

Date: \_\_\_\_\_

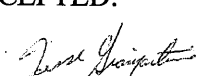
Approved by Funding Agency (if applicable): \_\_\_\_\_

**ACCEPTED:**

By: \_\_\_\_\_  
 Owner (Authorized Signature)

Date: \_\_\_\_\_

**ACCEPTED:**

By:   
 Signature

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Digitally signed by Jesse Glamartino  
 DN: cn=Jesse Glamartino, o=Billitier Electric,  
 ou=NY, email=jglamartino@billitierelectric.com,  
 c=US  
 Date: 2018.10.10 12:14:59

## Town Manager

---

**From:** Jim Fletcher [jfletcher@townofcanandaigua.org]  
**Sent:** Wednesday, October 24, 2018 9:29 AM  
**To:** 'TERRY FENNELLY'; 'Terry Fennelly'; 'Town Manager'  
**Cc:** 'Samantha Pierce'; 'Kaitlynn McCumiskey'  
**Subject:** RE: highway change order

Terry

The change order # EC-3 had originally been submitted for payment was considered by us at one time but in the end we decided that we do not need the fire alarm release . I believe then a new change order was submitted to Doug with this removed for the town to pay for as the cord drop and connecting the POTS line for the fire alarm system is all we should be paying for. I don't know for sure if we need to have a resolution to approve removing the fire alarm release.

---

**From:** TERRY FENNELLY [<mailto:tjfphoenix@yahoo.com>]  
**Sent:** Saturday, October 20, 2018 11:06 AM  
**To:** 'Jim Fletcher' <[jfletcher@townofcanandaigua.org](mailto:jfletcher@townofcanandaigua.org)>; 'Terry Fennelly' <[tfennelly@townofcanandaigua.org](mailto:tfennelly@townofcanandaigua.org)>; Town Manager <[dfinch@townofcanandaigua.org](mailto:dfinch@townofcanandaigua.org)>  
**Cc:** 'Samantha Pierce' <[spierce@townofcanandaigua.org](mailto:spierce@townofcanandaigua.org)>; 'Kaitlynn McCumiskey' <[kmccumiskey@townofcanandaigua.org](mailto:kmccumiskey@townofcanandaigua.org)>  
**Subject:** Re: highway change order

Jim -

Was this due to the other line added for the fire alarm system?

Terry

On Friday, October 19, 2018, 3:23:33 PM EDT, Town Manager <[dfinch@townofcanandaigua.org](mailto:dfinch@townofcanandaigua.org)> wrote:

Gentlemen:

I received the attached change order today in the mail.

Is this something that you want on the next Town Board agenda?

**Doug Finch**, Town Manager

Town of Canandaigua

5440 Route 5 & 20 West

Canandaigua, NY 14424

P: (585)394-1120 x2234

### CHANGE ORDER No. GC-03

Date of Issuance: September 27, 2018 Effective Date: September 27, 2018

Project: Canandaigua Highway <u>Garage</u>	Owner: Town of Canandaigua	Owner's Contract No.:
Contract: General		Date of Contract: June 15, 2017
Contractor: Building Innovation Group, Inc.		Engineer's Project No.: 0300.16001.000

**The Contract Documents are modified as follows upon execution of this Change Order:**  
Description: Allowance Credit

**Attachments (list documents supporting change):** N/A

**CHANGE IN CONTRACT PRICE:** **CHANGE IN CONTRACT TIMES:**

Original Contract Price: \$3,102,069.00 Original Contract Times:  Working days  Calendar days  
Substantial completion (days or date): \_\_\_\_\_  
Ready for final payment (days or date): \_\_\_\_\_

~~[Increase]~~ ~~[Decrease]~~ from previously approved Change Orders No. GC-01 to No. GC-02: \$16,328.00 ~~[Increase]~~ ~~[Decrease]~~ from previously approved Change Orders No. \_\_\_\_\_ to No. \_\_\_\_\_:  
Substantial completion (days): \_\_\_\_\_  
Ready for final payment (days): \_\_\_\_\_

Contract Price prior to this Change Order: \$3,118,397.00 Contract Times prior to this Change Order:  
Substantial completion (days or date): \_\_\_\_\_  
Ready for final payment (days or date): \_\_\_\_\_

~~[Increase]~~ ~~[Decrease]~~ of this Change Order: \$ (9,558.00) ~~[Increase]~~ ~~[Decrease]~~ of this Change Order:  
Substantial completion (days or date): \_\_\_\_\_  
Ready for final payment (days or date): \_\_\_\_\_

Contract Price incorporating this Change Order: \$ 3,108,839.00 Contract Times with all approved Change Orders:  
Substantial completion (days or date): \_\_\_\_\_  
Ready for final payment (days or date): \_\_\_\_\_

RECOMMENDED:  
By: [Signature]  
Engineer (Authorized Signature)  
Date: 9/28/18

ACCEPTED:  
By: \_\_\_\_\_  
Owner (Authorized Signature)  
Date: \_\_\_\_\_

ACCEPTED:  
By: [Signature]  
Contractor (Authorized Signature)  
Date: 10-1-18

Approved by Funding Agency (if applicable): \_\_\_\_\_ Date: \_\_\_\_\_



# ATTACHMENT 18

**WATER AND UTILITY EASEMENT**  
**3136 COUNTY ROAD 10 / TAX MAP # 84.00-1-39.100**

THIS EASEMENT is made this 1<sup>st</sup> day of November, 2019, by and between **MARTIN C. MCMILLAN**, having an address of 6125 ROSSIER ROAD; CANANDAIGUA, NY 14424, hereinafter referred to as the "Grantor"; and the **TOWN OF CANANDAIGUA**, a municipal corporation, having its main office at 5440 Routes 5 & 20, Canandaigua New York 14424, hereinafter referred to as the "Grantee."

The Grantor is the owner of certain premises known as 3136 County Road 10, located in the Town of Canandaigua, Ontario County, New York, bearing tax account parcel number 84.00-1-39.100, hereinafter referred to as the "Premises."

The Grantee is a municipal corporation which has determined that it is necessary for Town of Canandaigua purposes to obtain a sidewalk easement and right of way over a portion of the Premises as more fully described on Schedule A attached hereto and shown in the map prepared by BME Associates, dated August 30, 2017, attached hereto, hereinafter referred to as the "Easement Area."

The Easement Area is part of the Premises conveyed to Grantor by deed, recorded on or about December 1, 1995 in the Ontario County Clerk's Office in Liber 962 of Deeds at Page 486.

In consideration of One Dollar (\$1.00), which has been waived, the mutual covenants set forth herein and other good and valuable consideration, the parties agree as follows:

The Grantor hereby grants, releases and conveys to the Grantee, its successors, assigns or special districts forever, a permanent water and utility easement over the Easement Area to construct, maintain, reconstruct, repair, use, lay, place and remove one or more lines of pipe and utilities, along with connections and appurtenances thereto, at or below ground level, for the collection, transmission, transportation and distribution of water and for utilities and for the purpose of forever maintaining, repairing, replacing, enlarging or improving the whole or any portion of same from time to time as the Grantee may decide or require upon, along, under through and across the Easement Area. Together with all of the rights, privileges and appurtenances incident and necessary to the enjoyment of this easement and right-of-way.

To have and to hold the easement and right-of-way unto the Grantee and its successors and/or assigns forever.

The Grantee shall have the right and privilege at any time to enter upon and temporarily use an additional strip of land ten (10) feet in width immediately adjacent to each side of the permanent easement granted herein. At the termination of a temporary occupancy hereby authorized, the Grantee will restore, at its expense, the lawn and shrubbery of the Easement Area and the area of the Premises so temporarily used only to

as reasonably good condition as before insofar as it is feasible or reasonable to make such restoration.

Grantor for itself, its agents, distributees, heirs, successors and assigns covenants and agrees that no buildings or structures shall be constructed nor trees planted, nor shall changes be made to the grade of the land within the Easement Area nor shall there be any excavating, filling, mining or blasting within the limits of said Easement Area without the prior written consent of the Grantee.

The Grantee, its successors, assigns, agents or contractors, may at any time remove all obstructions from the Easement Area, including trimming or removal of trees and shrubs, which it reasonably determines are interfering with the operation, use or maintenance of any waterline, water system, utility or any part thereof without liability to the Grantor.

Grantor warrants that it has good and marketable title to the Premises, free from all liens or encumbrances, and the right to create this easement for the benefit of the Grantee. Grantor covenants that the Grantee shall quietly enjoy this easement and shall forever warrant and defend title against all claims against the Premises.

The land of the Grantor adjacent to the Easement Area is not relieved by reason of the grant therefrom from the obligation to pay whatever water and sewer charges may be annually assessed and levied on such adjacent land by the town pursuant to the power conferred by statute.

The parties have executed this easement on the day and year first above written.

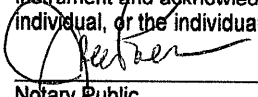
Town of Canandaigua

  
Martin C. McMillan, Grantor

By: \_\_\_\_\_  
Doug Finch, Town Manager

STATE OF NEW YORK  
COUNTY OF ONTARIO] ss:

On the 1<sup>st</sup> day of November, 2018, before me, personally appeared **MARTIN C. MCMILLAN**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the individual upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

JOHN A. POLIMENI  
NOTARY PUBLIC, STATE OF NEW YORK  
REGISTRATION NO. 01PO4779955  
QUALIFIED IN ONTARIO COUNTY  
COMMISSION EXPIRES OCTOBER 31, 2021

STATE OF NEW YORK  
COUNTY OF ONTARIO] ss:

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, personally appeared **DOUG FINCH**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the entity upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

2490A  
DNZ  
6/13/18

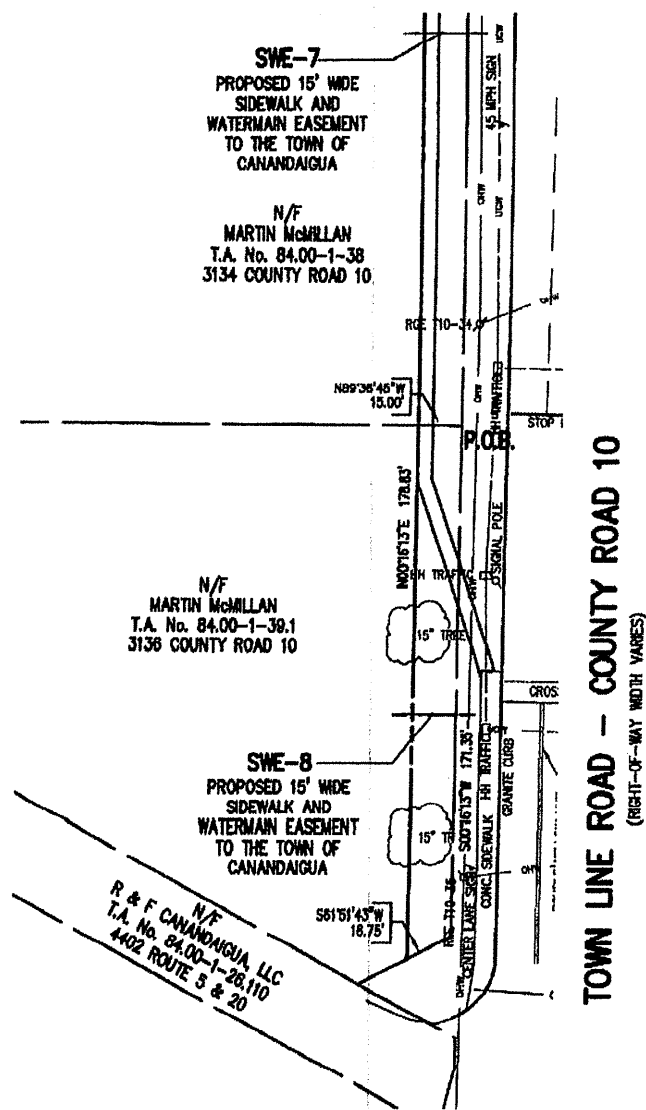
Proposed Description of  
a 15' wide Sidewalk and Watermain Easement (SWE-8)  
to the Town of Canandaigua  
through Lands of Martin McMillan

ALL THAT TRACT OR PARCEL OF LAND containing 2,626 square feet more or less, situate in the Phelps and Gorham Purchase, Township 10, Range 3, Town Lots 19 and 20, Town of Canandaigua, County of Ontario, and State of New York, as shown on the drawing entitled "Creekview Apartments at Woodland Park, Easement Plan of SWE-8," prepared by BME Associates, having drawing number 2490A-45, dated June 12, 2018 being more particularly bounded and described as follows:

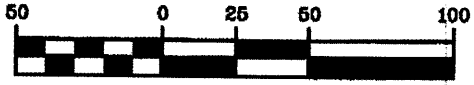
Beginning at a point, said point being the intersection of the southerly boundary line of lands now or formerly of Martin McMillan, (TA No. 84.00-1-39.1), with the westerly right-of-way line of Town Line Road - County Road 10 (Right-of-Way width varies); thence

1. S 00°16'13" W, a distance of 171.35 feet to a point; thence
2. S 61°51'43" W, a distance of 16.75 feet to a point; thence
3. N 00°16'13" E, a distance of 178.83 feet to a point; thence
4. S 89°36'45" E, a distance of 15.00 feet to the Point of Beginning.

EASEMENT PLAN OF SWE-8



GRAPHIC SCALE



( IN FEET )  
1 inch = 50 ft.

PHELPS & GORHAM PURCHASE, TOWNSHIP 10, RANGE 3, TOWN LOTS 19 & 20  
 COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S ORIGINAL INKED SEAL OR EMBROSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.  
 UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7206, OF THE NEW YORK STATE EDUCATION LAW.

<p><b>BME ASSOCIATES</b>                  ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS                  10 LIFF BRIDGE LANE EAST                  FAIRPORT, NEW YORK 14450                  PHONE 515-377-7360                  FAX 515-377-7389</p>	<p>CREEKVIEW APARTMENTS @ WOODLAND PARK                  TOWN OF CANANDAIGUA ONTARIO COUNTY NEW YORK</p>		DRAWN BY: DNZ DATE: 08-12-18	SCALE: 1"=50' DWG NO: 2490A-45
		<p>Copyright © 2018                  BME Associates</p>		



**WATER AND UTILITY EASEMENT**  
**3134 COUNTY ROAD 10 / TAX MAP # 84.00-1-38**

THIS EASEMENT is made this 1<sup>st</sup> day of November, 2018, by and between **MARTIN C. MCMILLAN**, having an address of 6125 ROSSIER ROAD; CANANDAIGUA, NY 14424, hereinafter referred to as the "Grantor"; and the **TOWN OF CANANDAIGUA**, a municipal corporation, having its main office at 5440 Routes 5 & 20, Canandaigua New York 14424, hereinafter referred to as the "Grantee."

The Grantor is the owner of certain premises known as 3134 County Road 10, located in the Town of Canandaigua, Ontario County, New York, bearing tax account parcel number 84.00-1-38, hereinafter referred to as the "Premises."

The Grantee is a municipal corporation which has determined that it is necessary for Town of Canandaigua purposes to obtain a sidewalk easement and right of way over a portion of the Premises as more fully described on Schedule A attached hereto and shown in the map prepared by BME Associates, dated August 30, 2017, attached hereto, hereinafter referred to as the "Easement Area."

The Easement Area is part of the Premises conveyed to Grantor by deed, recorded on or about May 1, 1996 in the Ontario County Clerk's Office in Liber 966 of Deeds at Page 828.

In consideration of One Dollar (\$1.00), which has been waived, the mutual covenants set forth herein and other good and valuable consideration, the parties agree as follows:

The Grantor hereby grants, releases and conveys to the Grantee, its successors, assigns or special districts forever, a permanent water and utility easement over the Easement Area to construct, maintain, reconstruct, repair, use, lay, place and remove one or more lines of pipe and utilities, along with connections and appurtenances thereto, at or below ground level, for the collection, transmission, transportation and distribution of water and for utilities and for the purpose of forever maintaining, repairing, replacing, enlarging or improving the whole or any portion of same from time to time as the Grantee may decide or require upon, along, under through and across the Easement Area. Together with all of the rights, privileges and appurtenances incident and necessary to the enjoyment of this easement and right-of-way.

To have and to hold the easement and right-of-way unto the Grantee and its successors and/or assigns forever.

The Grantee shall have the right and privilege at any time to enter upon and temporarily use an additional strip of land ten (10) feet in width immediately adjacent to each side of the permanent easement granted herein. At the termination of a temporary occupancy hereby authorized, the Grantee will restore, at its expense, the lawn and shrubbery of the Easement Area and the area of the Premises so temporarily used only to

as reasonably good condition as before insofar as it is feasible or reasonable to make such restoration.

Grantor for itself, its agents, distributees, heirs, successors and assigns covenants and agrees that no buildings or structures shall be constructed nor trees planted, nor shall changes be made to the grade of the land within the Easement Area nor shall there be any excavating, filling, mining or blasting within the limits of said Easement Area without the prior written consent of the Grantee.

The Grantee, its successors, assigns, agents or contractors, may at any time remove all obstructions from the Easement Area, including trimming or removal of trees and shrubs, which it reasonably determines are interfering with the operation, use or maintenance of any waterline, water system, utility or any part thereof without liability to the Grantor.

Grantor warrants that it has good and marketable title to the Premises, free from all liens or encumbrances, and the right to create this easement for the benefit of the Grantee. Grantor covenants that the Grantee shall quietly enjoy this easement and shall forever warrant and defend title against all claims against the Premises.

The land of the Grantor adjacent to the Easement Area is not relieved by reason of the grant therefrom from the obligation to pay whatever water and sewer charges may be annually assessed and levied on such adjacent land by the town pursuant to the power conferred by statute.

The parties have executed this easement on the day and year first above written.

Town of Canandaigua

  
Martin C. McMillan, Grantor

By: \_\_\_\_\_  
Doug Finch, Town Manager

STATE OF NEW YORK  
COUNTY OF ONTARIO] ss:

On the 1<sup>st</sup> day of November, 2018, before me, personally appeared **MARTIN C. MCMILLAN**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the individual upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

JOHN A. POLIMENI  
NOTARY PUBLIC, STATE OF NEW YORK  
REGISTRATION NO. 01PO4779955  
QUALIFIED IN ONTARIO COUNTY  
COMMISSION EXPIRES OCTOBER 31, 2021

STATE OF NEW YORK  
COUNTY OF ONTARIO] ss:

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, personally appeared **DOUG FINCH**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the entity upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

2490A  
DNZ  
REVISED  
6/13/18

Proposed Description of  
a 15' wide Sidewalk and Watermain Easement (SWE-7)  
to the Town of Canandaigua  
through Lands of Martin McMillan

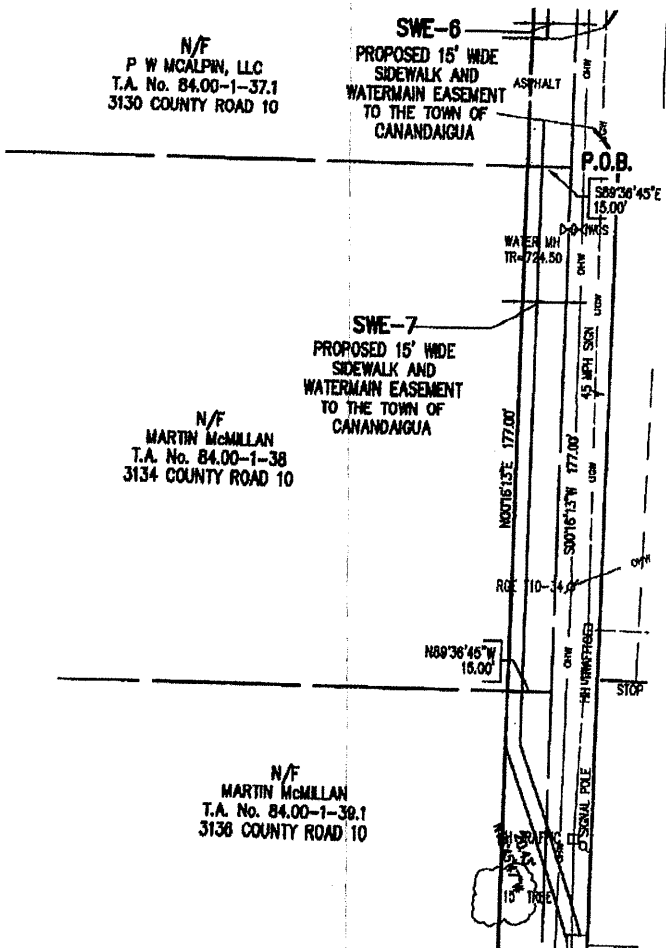
ALL THAT TRACT OR PARCEL OF LAND containing 2,655 square feet more or less, situate in the Phelps and Gorham Purchase, Township 10, Range 3, Town Lots 19 and 20, Town of Canandaigua, County of Ontario, and State of New York, as shown on the drawing entitled "Creekview Apartments at Woodland Park, Easement Plan of SWE-7," prepared by BME Associates, having drawing number 2490A-31, last revised June 12, 2018 being more particularly bounded and described as follows:

Beginning at a point, said point being the intersection of the southerly boundary line of lands now or formerly of PW Mcalpin, LLC (TA No. 84.00-1-37.1), with the westerly right-of-way line of Town Line Road - County Road 10 (Right-of-Way width varies); thence

1. S 00°16'13" W, a distance of 177.00 feet to a point; thence
2. N 19°45'47" W, a distance of 15.00 feet to a point; thence
3. N 00°16'13" E, a distance of 177.00 feet to a point; thence
4. S 89°36'45" E, a distance of 15.00 feet to the Point of Beginning.



EASEMENT PLAN OF SWE-7



TOWN LINE ROAD - COUNTY ROAD 10  
(RIGHT-OF-WAY WIDTH VARIES)

N/F  
P W MCALPIN, LLC  
T.A. No. 84.00-1-37.1  
3130 COUNTY ROAD 10

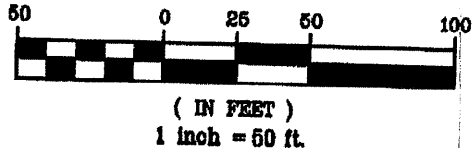
SWE-6  
PROPOSED 15' WIDE  
SIDEWALK AND  
WATERMAIN EASEMENT  
TO THE TOWN OF  
CANANDAIGUA

N/F  
MARTIN McMILLAN  
T.A. No. 84.00-1-38  
3134 COUNTY ROAD 10

SWE-7  
PROPOSED 15' WIDE  
SIDEWALK AND  
WATERMAIN EASEMENT  
TO THE TOWN OF  
CANANDAIGUA

N/F  
MARTIN McMILLAN  
T.A. No. 84.00-1-39.1  
3136 COUNTY ROAD 10

GRAPHIC SCALE



PHELPS & GORHAM PURCHASE, TOWNSHIP 10, RANGE 3, TOWN LOTS 19 & 20  
COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S ORIGINAL MISED SEAL OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.  
UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209, OF THE NEW YORK STATE EDUCATION LAW.

**B&M ASSOCIATES**  
ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS  
19 LEFT BRIDGE LANE EAST  
FAIRPORT, NEW YORK 14450  
PHONE 585-377-7360  
FAX 585-377-7309

CREEKVIEW APARTMENTS @ WOODLAND PARK  
TOWN OF CANANDAIGUA ONTARIO COUNTY NEW YORK



DRAWN BY: DNZ  
DATE: 08-30-17

SCALE: 1"=50'  
DWG NO: 2480A-31



REVISED EASEMENT WIDTH & ADD WATERMAIN EASEMENT 6/12/18 DNZ

**SIDEWALK EASEMENT**  
**3136 COUNTY ROAD 10 / TAX MAP # 84.00-1-39.100**

THIS EASEMENT is made this 1<sup>st</sup> day of November, 2018, by and between **MARTIN C. MCMILLAN**, having an address of 6125 ROSSIER ROAD; CANANDAIGUA, NY 14424, hereinafter referred to as the "Grantor"; and the **TOWN OF CANANDAIGUA**, a municipal corporation, having its main office at 5440 Routes 5 & 20, Canandaigua New York 14424, hereinafter referred to as the "Grantee."

The Grantor is the owner of certain premises known as 3136 County Road 10, located in the Town of Canandaigua, Ontario County, New York, bearing tax account parcel number 84.00-1-39.100, hereinafter referred to as the "Premises."

The Grantee is a municipal corporation which has determined that it is necessary for Town of Canandaigua purposes to obtain a sidewalk easement and right of way over a portion of the Premises as more fully described on Schedule A attached hereto and shown in the map prepared by BME Associates, dated August 30, 2017, attached hereto, hereinafter referred to as the "Easement Area."

The Easement Area is part of the Premises conveyed to Grantor by deed, recorded on or about December 1, 1995 in the Ontario County Clerk's Office in Liber 962 of Deeds at Page 486.

In consideration of One Dollar (\$1.00), which has been waived, the mutual covenants set forth herein and other good and valuable consideration, the parties agree as follows:

The Grantor hereby grants, releases and conveys to the Grantee, its successors, assigns or special districts forever, a permanent sidewalk easement and right-of-way in, under and along the Easement Area for the purpose of a sidewalk right-of-way for the use of the general public and for the purpose of building, constructing, maintaining, using, operating, repairing, reconstructing and removing said sidewalks and making the required excavations therefore upon, over or across the Easement Area and inspecting the Easement Area from time to time together with the right of the Grantee, its officers, employees, agents, servants or contractors, of ingress and egress to enter upon and along the Easement Area for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including, but not limited to, any of the purposes hereinbefore specified.

To have and to hold the easement and right-of-way unto the Grantee and its successors and/or assigns forever.

The Grantee shall have the right and privilege at any time to enter upon and temporarily use an additional strip of land ten (10) feet in width immediately adjacent to each side of the permanent easement granted herein for the purpose of performing maintenance or repairs on said sidewalk. At the termination of a temporary occupancy hereby authorized, the Grantee will restore, at its expense, the lawn and shrubbery of the

Easement Area and the area of the Premises so temporarily used only to as reasonably good condition as before insofar as it is feasible or reasonable to make such restoration.

Grantor for itself, its agents, distributees, heirs, successors and assigns covenants and agrees that no buildings or structures shall be constructed nor trees planted, nor shall changes be made to the grade of the land within the Easement Area nor shall there be any excavating, filling, mining or blasting within the limits of said Easement Area without the prior written consent of the Grantee.

The Grantee, its successors, assigns, agents or contractors, may at any time remove all obstructions from the Easement Area, including trimming or removal of trees and shrubs, which it reasonably determines are interfering with the operation, use or maintenance of the sidewalk or part thereof without liability to the Grantor.

Grantor warrants that it has good and marketable title to the Premises, free from all liens or encumbrances, and the right to create this easement for the benefit of the Grantee. Grantor covenants that the Grantee shall quietly enjoy this easement and shall forever warrant and defend title against all claims against the Premises.

Grantee shall repair and maintain the sidewalk constructed under this Easement and keep it in good repair.

The parties have executed this easement as of the day and year first above written.


Town of Canandaigua

  
Martin C. McMillan, Grantor

By: \_\_\_\_\_  
Doug Finch, Town Manager

STATE OF NEW YORK  
COUNTY OF ONTARIO] ss:

On the 1<sup>st</sup> day of November, 2018, before me, personally appeared **MARTIN C. MCMILLAN**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the individual upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

**JOHN A. POLIMENI**  
NOTARY PUBLIC, STATE OF NEW YORK  
REGISTRATION NO. 01PO4779955  
QUALIFIED IN ONTARIO COUNTY  
COMMISSION EXPIRES OCTOBER 31, 2021

STATE OF NEW YORK  
COUNTY OF ONTARIO] ss:

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, personally appeared **DOUG FINCH**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the entity upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

2490A  
DNZ  
6/13/18

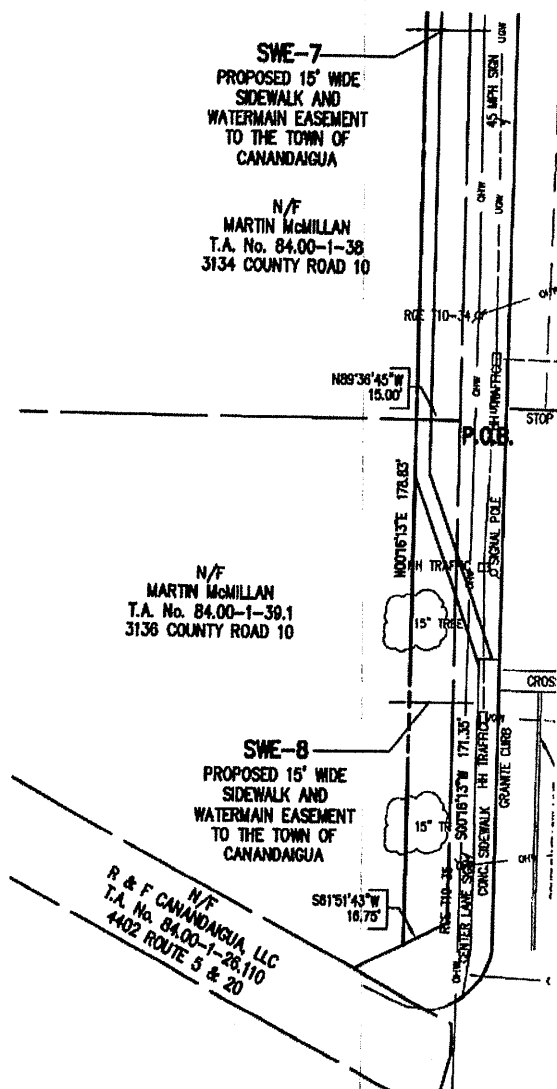
Proposed Description of  
a 15' wide Sidewalk and Watermain Easement (SWE-8)  
to the Town of Canandaigua  
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Beginning at a point, said point being the intersection of the southerly boundary line of lands now or formerly of Martin McMillan, (TA No. 84.00-1-39.1), with the westerly right-of-way line of Town Line Road - County Road 10 (Right-of-Way width varies); thence

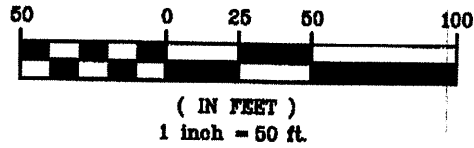
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2. S 61°51'43" W, a distance of 16.75 feet to a point; thence
3. N 00°16'13" E, a distance of 178.83 feet to a point; thence
4. S 89°36'45" E, a distance of 15.00 feet to the Point of Beginning.

EASEMENT PLAN OF SWE-8



**TOWN LINE ROAD - COUNTY ROAD 10**  
 (RIGHT-OF-WAY WIDTH VARIES)

**GRAPHIC SCALE**



**PHELPS & GORHAM PURCHASE, TOWNSHIP 10, RANGE 3, TOWN LOTS 19 & 20**  
 COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S ORIGINAL INKED SEAL OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.  
 UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7200, OF THE NEW YORK STATE EDUCATION LAW.

**BMT ASSOCIATES**  
 ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS  
 10 LEFT BRIDGE LANE EAST  
 FAIRPORT, NEW YORK 14450  
 PHONE 585-377-7168  
 FAX 585-377-7389

**CREEKVIEW APARTMENTS @ WOODLAND PARK**  
**TOWN OF CANANDAIGUA ONTARIO COUNTY NEW YORK**  
 DRAWN BY: DNZ  
 DATE: 06-12-18  
 SCALE: 1"=50'  
 DWG NO: 2490A-45



**SIDEWALK EASEMENT**  
**3134 COUNTY ROAD 10 / TAX MAP # 84.00-1-38**

THIS EASEMENT is made this 1<sup>st</sup> day of November, 2018, by and between **MARTIN C. MCMILLAN**, having an address of 6125 ROSSIER ROAD; CANANDAIGUA, NY 14424, hereinafter referred to as the "Grantor"; and the **TOWN OF CANANDAIGUA**, a municipal corporation, having its main office at 5440 Routes 5 & 20, Canandaigua New York 14424, hereinafter referred to as the "Grantee."

The Grantor is the owner of certain premises known as 3134 County Road 10, located in the Town of Canandaigua, Ontario County, New York, bearing tax account parcel number 84.00-1-38, hereinafter referred to as the "Premises."

The Grantee is a municipal corporation which has determined that it is necessary for Town of Canandaigua purposes to obtain a sidewalk easement and right of way over a portion of the Premises as more fully described on Schedule A attached hereto and shown in the map prepared by BME Associates, dated August 30, 2017, attached hereto, hereinafter referred to as the "Easement Area."

The Easement Area is part of the Premises conveyed to Grantor by deed, recorded on or about May 1, 1996 in the Ontario County Clerk's Office in Liber 966 of Deeds at Page 828.

In consideration of One Dollar (\$1.00), which has been waived, the mutual covenants set forth herein and other good and valuable consideration, the parties agree as follows:

The Grantor hereby grants, releases and conveys to the Grantee, its successors, assigns or special districts forever, a permanent sidewalk easement and right-of-way in, under and along the Easement Area for the purpose of a sidewalk right-of-way for the use of the general public and for the purpose of building, constructing, maintaining, using, operating, repairing, reconstructing and removing said sidewalks and making the required excavations therefore upon, over or across the Easement Area and inspecting the Easement Area from time to time together with the right of the Grantee, its officers, employees, agents, servants or contractors, of ingress and egress to enter upon and along the Easement Area for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including, but not limited to, any of the purposes hereinbefore specified.

To have and to hold the easement and right-of-way unto the Grantee and its successors and/or assigns forever.

The Grantee shall have the right and privilege at any time to enter upon and temporarily use an additional strip of land ten (10) feet in width immediately adjacent to each side of the permanent easement granted herein for the purpose of performing maintenance or repairs on said sidewalk. At the termination of a temporary occupancy hereby authorized, the Grantee will restore, at its expense, the lawn and shrubbery of the

Easement Area and the area of the Premises so temporarily used only to as reasonably good condition as before insofar as it is feasible or reasonable to make such restoration.

Grantor for itself, its agents, distributees, heirs, successors and assigns covenants and agrees that no buildings or structures shall be constructed nor trees planted, nor shall changes be made to the grade of the land within the Easement Area nor shall there be any excavating, filling, mining or blasting within the limits of said Easement Area without the prior written consent of the Grantee.

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Grantee shall repair and maintain the sidewalk constructed under this Easement and keep it in good repair.

The parties have executed this easement as of the day and year first above written.

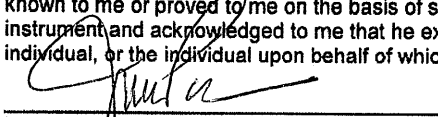
Town of Canandaigua

  
Martin C. McMillan, Grantor

By: \_\_\_\_\_  
Doug Finch, Town Manager

STATE OF NEW YORK  
COUNTY OF ONTARIO] ss:

On the 1 day of November, 2018, before me, personally appeared **MARTIN C. MCMILLAN**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the individual upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

**JOHN A. POLIMENI**  
NOTARY PUBLIC, STATE OF NEW YORK  
REGISTRATION NO. 01PO4779955  
QUALIFIED IN ONTARIO COUNTY  
COMMISSION EXPIRES OCTOBER 31, 2021

STATE OF NEW YORK  
COUNTY OF ONTARIO] ss:

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, personally appeared **DOUG FINCH**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the entity upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

2490A  
DNZ  
REVISED  
6/13/18

Proposed Description of  
a 15' wide Sidewalk and Watermain Easement (SWE-7)  
to the Town of Canandaigua  
through Lands of Martin McMillan

ALL THAT TRACT OR PARCEL OF LAND containing 2,655 square feet more or less, situate in the Phelps and Gorham Purchase, Township 10, Range 3, Town Lots 19 and 20, Town of Canandaigua, County of Ontario, and State of New York, as shown on the drawing entitled "Creekview Apartments at Woodland Park, Easement Plan of SWE-7," prepared by BME Associates, having drawing number 2490A-31, last revised June 12, 2018 being more particularly bounded and described as follows:

Beginning at a point, said point being the intersection of the southerly boundary line of lands now or formerly of PW Mcalpin, LLC (TA No. 84.00-1-37.1), with the westerly right-of-way line of Town Line Road - County Road 10 (Right-of-Way width varies); thence

1. S 00°16'13" W, a distance of 177.00 feet to a point; thence
2. N 19°45'47" W, a distance of 15.00 feet to a point; thence
3. N 00°16'13" E, a distance of 177.00 feet to a point; thence
4. S 89°36'45" E, a distance of 15.00 feet to the Point of Beginning.



EASEMENT PLAN OF SWE-7

N/F  
P W MCALPIN, LLC  
T.A. No. 84.00-1-37.1  
3130 COUNTY ROAD 10

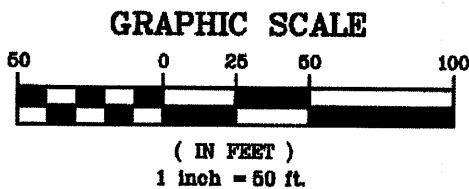
SWE-6  
PROPOSED 15' WIDE  
SIDEWALK AND  
WATERMAIN EASEMENT  
TO THE TOWN OF  
CANANDAIGUA

N/F  
MARTIN McMILLAN  
T.A. No. 84.00-1-38  
3134 COUNTY ROAD 10

SWE-7  
PROPOSED 15' WIDE  
SIDEWALK AND  
WATERMAIN EASEMENT  
TO THE TOWN OF  
CANANDAIGUA

N/F  
MARTIN McMILLAN  
T.A. No. 84.00-1-39.1  
3136 COUNTY ROAD 10

TOWN LINE ROAD - COUNTY ROAD 10  
(RIGHT-OF-WAY WIDTH VARIES)



PHELPS & GORHAM PURCHASE, TOWNSHIP 10, RANGE 3, TOWN LOTS 19 & 20  
COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S ORIGINAL INKED SEAL OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY.  
"UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7206, OF THE NEW YORK STATE EDUCATION LAW."

**BMA ASSOCIATES**  
ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

10 LIFT BRIDGE LANE EAST  
FAIRPORT, NEW YORK 14450  
PHONE 585-377-7380  
FAX 585-377-7329

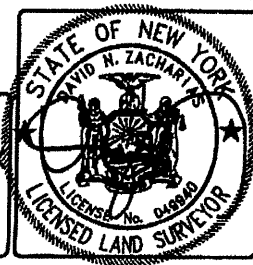
COPYRIGHT © 2017  
EME Associates

CREEKVIEW APARTMENTS @ WOODLAND PARK  
TOWN OF CANANDAIGUA ONTARIO COUNTY NEW YORK



DRAWN BY: DNZ  
DATE: 08-30-17

SCALE: 1"=50'  
DWG NO: 2480A-31



REVISED EASEMENT WIDTH & ADD WATERMAIN EASEMENT 6/12/18 DNZ

# ATTACHMENT 19

# MRB *group* **LETTER OF TRANSMITTAL**

The Culver Road Armory  
 145 Culver Road, Suite 160  
 Rochester, NY 14620  
 585-381-9250  
 FAX 585-381-1008  
 Email: info@mrbgroup.com  
 www.mrbgroup.com

**DATE:** OCTOBER 2, 2018     **JOB No.:** 0300.16001  
**ATTENTION:** DOUG FINCH - TOWN MANAGER  
**RE:** TOWN OF CANANDAIGUA - HIGHWAY GARAGE

**To:** Town of Canandaigua  
 5440 Routes 5 & 20 West  
 Canandaigua, NY 14424

**WE ARE SENDING YOU**

<input type="checkbox"/> Shop drawings	<input type="checkbox"/> Attached	<input type="checkbox"/> Under separate cover via	the following items:
<input type="checkbox"/> Copy of letter	<input type="checkbox"/> Prints	<input type="checkbox"/> Plans	<input type="checkbox"/> Specifications
	<input type="checkbox"/> Change Order	<input type="checkbox"/> Other	<input type="checkbox"/> Samples

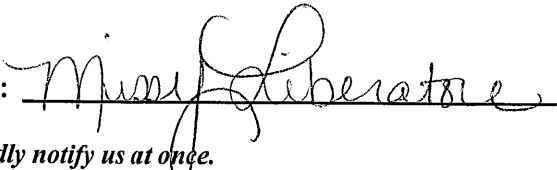
COPIES	DATE	NO.	DESCRIPTION
3	10/2/18		GC Phase I CSC – dated 5/11/18
3	10/2/18		GC Phase II CSC – dated 9/8/18
3	10/2/18		EC Phase I CSC – dated 5/11/18
3	10/2/18		EC Phase II CSC – dated 9/8/18
3	10/2/18		HVAC Phase I CSC – dated 5/11/18
3	10/2/18		HVAC Phase II CSC – dated 9/8/18
3	10/2/18		PC Phase I CSC – dated 5/11/18
3	10/2/18		PC Phase II CSC – dated 9/8/18

**THESE ARE TRANSMITTED as checked below:**

<input checked="" type="checkbox"/> For approval	<input type="checkbox"/> Approved as submitted	<input type="checkbox"/> Resubmit	copies for approval
<input type="checkbox"/> For your use	<input type="checkbox"/> Approved as noted	<input type="checkbox"/> Submit	copies for distribution
<input type="checkbox"/> As requested	<input type="checkbox"/> Returned for correction	<input type="checkbox"/> Return	corrected plans
<input type="checkbox"/> For review and comment	<input type="checkbox"/> Other		
<input type="checkbox"/> For bids due		<input type="checkbox"/> Prints returned after loan to us	

**REMARKS:**  
 Please sign all copies of the enclosed certificate of substantial completions. Retain one of each for your files and return the remaining to our office.  
 Thank you

HAND DELIVERED BY SB – MRB ON 10/2/18  
**COPY TO:** File

**SIGNED:** 

*If enclosures are not as noted, kindly notify us at once.*

## CERTIFICATE OF SUBSTANTIAL COMPLETION

Project: Canandaigua Highway Garage

Owner: Town of Canandaigua

Owner's Contract No.:

Contract: Building Innovation Group, Inc.

Engineer's Project No.:  
0300.16001.000

**This Certificate of Substantial Completion applies to:**

- All Work under the Contract Documents:     The following specified portions of the Work:  
- Phase I: Main Garage

May 11, 2018

Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Project or portion thereof designated above is hereby declared and is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below.

A list of items to be completed or corrected is attached hereto. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

**The responsibilities between Owner and Contractor for security, operation, safety, maintenance, heat, utilities, insurance and warranties shall be as provided in the Contract Documents except as amended as follows:**

- Amended Responsibilities                       Not Amended

Owner's Amended Responsibilities: N/A

Contractor's Amended Responsibilities: N/A

The following documents are attached to and made part of this Certificate: N/A

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

  
Executed by Engineer                      10/2/18  
Date

  
Accepted by Contractor                      10-2-18  
Date

Accepted by Owner                      Date

## CERTIFICATE OF SUBSTANTIAL COMPLETION

Project: Canandaigua Highway Garage	
Owner: Town of Canandaigua	Owner's Contract No.:
Contract: Building Innovation Group, Inc.	Engineer's Project No.:
	0300.16001.000

**This Certificate of Substantial Completion applies to:**

- All Work under the Contract Documents:     The following specified portions of the Work:  
- Phase II: Office Area in Main Garage, Cold Storage Building, Maintenance Garage & Fuel Station

September 8, 2018

Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Project or portion thereof designated above is hereby declared and is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below.

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Owner's Amended Responsibilities: N/A

Contractor's Amended Responsibilities: N/A

The following documents are attached to and made part of this Certificate: Punchlist dated 8/23/18

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Executed by Engineer

Date

10/2/18

Accepted by Contractor

Date

10-2-18

Accepted by Owner

Date

## CERTIFICATE OF SUBSTANTIAL COMPLETION

Project: Canandaigua Highway Garage

Owner: Town of Canandaigua

Owner's Contract No.:

Contract: Building Innovation Group, Inc.

Engineer's Project No.:  
0300.16001.000

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May 11, 2018

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10/2/18  
Date

  
Accepted by Contractor

10-2-18  
Date

Accepted by Owner

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Project: Canandaigua Highway Garage	
Owner: Town of Canandaigua	Owner's Contract No.:
Contract: Building Innovation Group, Inc.	Engineer's Project No.:
	0300.16001.000

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September 8, 2018

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Owner's Amended Responsibilities: N/A

Contractor's Amended Responsibilities: N/A

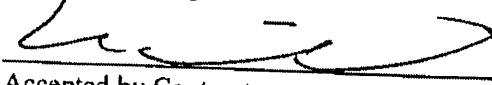
The following documents are attached to and made part of this Certificate: Punchlist dated 8/23/18

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Executed by Engineer

10/2/18  
Date



Accepted by Contractor

10-2-18  
Date

Accepted by Owner

Date

## CERTIFICATE OF SUBSTANTIAL COMPLETION

Project: Canandaigua Highway Garage

Owner: Town of Canandaigua

Owner's Contract No.:

Contract: Building Innovation Group, Inc.

Engineer's Project No.:  
0300.16001.000

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- Phase I: Main Garage

May 11, 2018

Date of Substantial Completion

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Owner's Amended Responsibilities: N/A

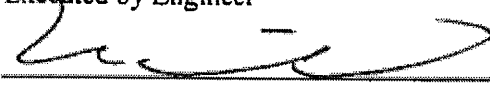
Contractor's Amended Responsibilities: N/A

The following documents are attached to and made part of this Certificate: N/A

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

  
Executed by Engineer

10/2/18  
Date

  
Accepted by Contractor

10-2-18  
Date

Accepted by Owner

Date



## CERTIFICATE OF SUBSTANTIAL COMPLETION

Project: Canandaigua Highway Garage	
Owner: Town of Canandaigua	Owner's Contract No.:
Contract: Building Innovation Group, Inc.	Engineer's Project No.: 0300.16001.000

**This Certificate of Substantial Completion applies to:**

- All Work under the Contract Documents:     The following specified portions of the Work:  
- Phase II: Office Area in Main Garage, Cold Storage Building, Maintenance Garage & Fuel Station

September 8, 2018

Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Project or portion thereof designated above is hereby declared and is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below.

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Contractor's Amended Responsibilities: N/A

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Executed by Engineer

10/2/18  
Date



Accepted by Contractor

10-2-18  
Date

Accepted by Owner

Date



## CERTIFICATE OF SUBSTANTIAL COMPLETION

Project: Canandaigua Highway Garage

Owner: Town of Canandaigua

Owner's Contract No.:

Contract: Billitier Electric

Engineer's Project No.:  
0300.16001.000

**This Certificate of Substantial Completion applies to:**

- All Work under the Contract Documents:     The following specified portions of the Work:  
- Phase II: Office Area in Main Garage, Cold Storage Building, Maintenance Garage & Fuel Station

September 8, 2018

Date of Substantial Completion

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Owner's Amended Responsibilities: N/A

Contractor's Amended Responsibilities: N/A

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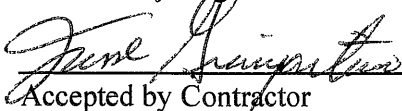
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10/1/18

Executed by Engineer

Date



8/27/18

Accepted by Contractor

Date

Accepted by Owner

Date

## CERTIFICATE OF SUBSTANTIAL COMPLETION

Project: Canandaigua Highway Garage	
Owner: Town of Canandaigua	Owner's Contract No.:
Contract: Billitier Electric	Engineer's Project No.: 0300.16001.000

**This Certificate of Substantial Completion applies to:**

- All Work under the Contract Documents:
  The following specified portions of the Work:  
 - Phase I: Main Garage

May 11, 2018

Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Project or portion thereof designated above is hereby declared and is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below.

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- Amended Responsibilities
  Not Amended

Owner's Amended Responsibilities: N/A

Contractor's Amended Responsibilities: N/A

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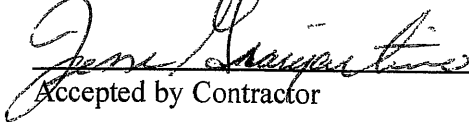
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Executed by Engineer

10/1/18

Date



Accepted by Contractor

8/27/18

Date

Accepted by Owner

Date

## CERTIFICATE OF SUBSTANTIAL COMPLETION

Project: Canandaigua Highway Garage

Owner: Town of Canandaigua

Owner's Contract No.:

Contract: Billitier Electric

Engineer's Project No.:  
0300.16001.000

**This Certificate of Substantial Completion applies to:**

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- Phase II: Office Area in Main Garage, Cold Storage Building, Maintenance Garage & Fuel Station

September 8, 2018

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Contractor's Amended Responsibilities: N/A

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10/1/18

Executed by Engineer

Date



8/27/18

Accepted by Contractor

Date

Accepted by Owner

Date

## CERTIFICATE OF SUBSTANTIAL COMPLETION

Project: Canandaigua Highway Garage	
Owner: Town of Canandaigua	Owner's Contract No.:
Contract: Billitier Electric	Engineer's Project No.: 0300.16001.000

**This Certificate of Substantial Completion applies to:**

- All Work under the Contract Documents:       The following specified portions of the Work:  
 - Phase I: Main Garage

May 11, 2018

Date of Substantial Completion

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Contractor's Amended Responsibilities: N/A

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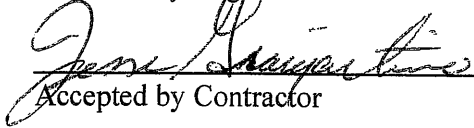
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Executed by Engineer

10/1/18

Date



Accepted by Contractor

8/27/18

Date

Accepted by Owner

Date

## CERTIFICATE OF SUBSTANTIAL COMPLETION

Project: Canandaigua Highway Garage	
Owner: Town of Canandaigua	Owner's Contract No.:
Contract: Billitier Electric	Engineer's Project No.: 0300.16001.000

**This Certificate of Substantial Completion applies to:**

- All Work under the Contract Documents:      The following specified portions of the Work:  
- Phase II: Office Area in Main Garage, Cold Storage Building, Maintenance Garage & Fuel Station

September 8, 2018

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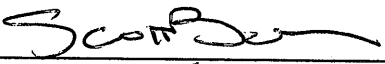
- Amended Responsibilities                      Not Amended

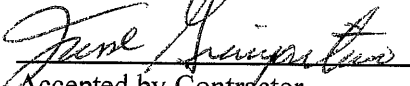
Owner's Amended Responsibilities: N/A

Contractor's Amended Responsibilities: N/A

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Executed by Engineer   Date                     10/1/18

  
Accepted by Contractor   Date                     8/27/18

Accepted by Owner   Date

## CERTIFICATE OF SUBSTANTIAL COMPLETION

Project: Canandaigua Highway Garage

Owner: Town of Canandaigua

Owner's Contract No.:

Contract: HMI Mechanical Systems, Inc. - HVAC

Engineer's Project No.:  
0300.16001.000

**This Certificate of Substantial Completion applies to:**

All Work under the Contract Documents:  The following specified portions of the Work:  
- Phase I: Main Garage

May 11, 2018

Date of Substantial Completion

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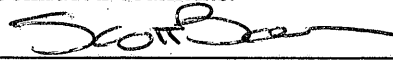
Amended Responsibilities  Not Amended

Owner's Amended Responsibilities: N/A

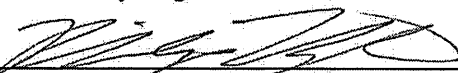
Contractor's Amended Responsibilities: N/A

The following documents are attached to and made part of this Certificate: N/A

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Executed by Engineer

10/1/18  
Date

  
Accepted by Contractor

9/28/18  
Date

Accepted by Owner

Date



## CERTIFICATE OF SUBSTANTIAL COMPLETION

Project: Canandaigua Highway Garage	
Owner: Town of Canandaigua	Owner's Contract No.:
Contract: HMI Mechanical Systems, Inc. - HVAC	Engineer's Project No.: 0300.16001.000

**This Certificate of Substantial Completion applies to:**

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September 8, 2018

Date of Substantial Completion

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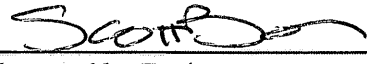
Amended Responsibilities  Not Amended

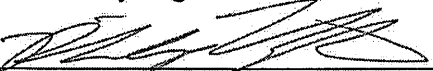
Owner's Amended Responsibilities: N/A

Contractor's Amended Responsibilities: N/A

The following documents are attached to and made part of this Certificate: Punchlist dated 8/20/18

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

  
Executed by Engineer 10/1/18  
Date

  
Accepted by Contractor 9/28/18  
Date

Accepted by Owner Date

## CERTIFICATE OF SUBSTANTIAL COMPLETION

Project: Canandaigua Highway Garage	
Owner: Town of Canandaigua	Owner's Contract No.:
Contract: HMI Mechanical Systems, Inc. - HVAC	Engineer's Project No.: 0300.16001.000

**This Certificate of Substantial Completion applies to:**

- All Work under the Contract Documents:  The following specified portions of the Work:  
- Phase I: Main Garage

May 11, 2018

Date of Substantial Completion

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Amended Responsibilities  Not Amended

Owner's Amended Responsibilities: N/A

Contractor's Amended Responsibilities: N/A

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Executed by Engineer

Date

10/1/18



Accepted by Contractor

Date

9/28/18

Accepted by Owner

Date

## CERTIFICATE OF SUBSTANTIAL COMPLETION

Project: Canandaigua Highway Garage	
Owner: Town of Canandaigua	Owner's Contract No.:
Contract: HMI Mechanical Systems, Inc. - HVAC	Engineer's Project No.: 0300.16001.000

**This Certificate of Substantial Completion applies to:**

- All Work under the Contract Documents:  The following specified portions of the Work:  
- Phase II: Office Area in Main Garage, Cold Storage Building, Maintenance Garage & Fuel Station

September 8, 2018

Date of Substantial Completion

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Amended Responsibilities


Not Amended

Owner's Amended Responsibilities: N/A

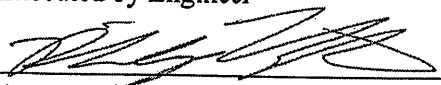
Contractor's Amended Responsibilities: N/A

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May 11, 2018

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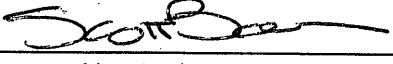
Amended Responsibilities  Not Amended

Owner's Amended Responsibilities: N/A

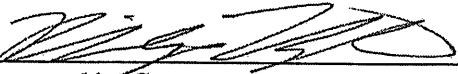
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Project: Canandaigua Highway Garage	
Owner: Town of Canandaigua	Owner's Contract No.:
Contract: HMI Mechanical Systems, Inc. - HVAC	Engineer's Project No.:
	0300.16001.000

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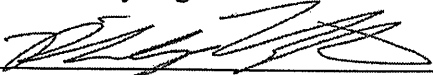
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Project: Canandaigua Highway Garage

Owner: Town of Canandaigua

Owner's Contract No.:

Contract: HMI Mechanical Systems, Inc. - PC

Engineer's Project No.:  
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10/1/18

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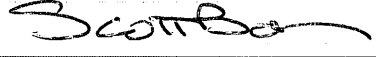
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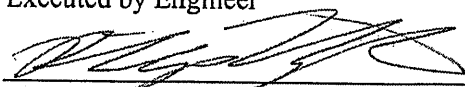
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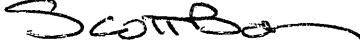
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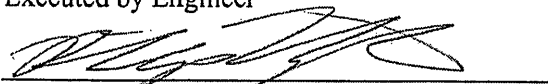
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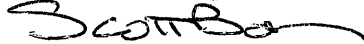
Not Amended

Owner's Amended Responsibilities: N/A


Contractor's Amended Responsibilities: N/A

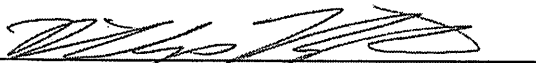
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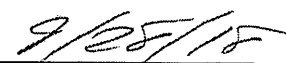


Executed by Engineer

  
Date



Accepted by Contractor

  
Date

Accepted by Owner

Date

# ATTACHMENT 20



10/8/2018

Canandaigua Highway Dept  
Accounts Payable  
5440 Route 5 & 20 West  
Canandaigua, NY 14424  
RE: Planned Maintenance Proposal

Dear Jim Fletcher,

Cummins Sales and Service is a premier engine and power generation systems provider committed to delivering fast and proven solutions to our customers. We are pleased to offer you a Planned Maintenance Proposal for your review and approval. Due to the critical nature of your standby power system, this Agreement was developed based on your specific needs and equipment to ensure maximum performance and reliability.

#### Benefits of Planned Maintenance

- Improves system reliability.
- Maintenance performed by certified technicians specifically trained in power generation.
- PM customers receive preferred service for unscheduled emergency repairs.
- Creation of a service record for customer equipment.
- Additional maintenance recommendations documented at that time.
- Scheduling managed by Cummins Sales and Service to ensure timely maintenance intervals.
- Eliminates administrative burden, covers equipment from multiple vendors.

Please sign, date and return the enclosed Agreement to our office along with any purchase documentation necessary so we can tend to your servicing needs. Should you have any questions or require additional information on any subject relating to your equipment, please feel free to contact me. We look forward to the opportunity to earn your trust and business.

Sincerely,

*Nick Kryder*

Nick Kryder  
Territory Manager  
Office: (716) 385-6574  
Cell: (716) 385-6574  
Email: [nicholas.kryder@cummins.com](mailto:nicholas.kryder@cummins.com)



Cummins Inc.  
 700 Aero Drive  
 Buffalo, NY 14225  
 Phone: (716)829-1700  
 Fax: (716)632-0640

**PLANNED EQUIPMENT MAINTENANCE AGREEMENT**

Customer Address	Customer Contact	Quote Information	
Canandaigua Highway Dept	Name: Jim Fletcher	Quote Date:	10/8/2018
Accounts Payable	Phone: (585) 394-3300	Quote Expires:	12/7/2018
5440 Route 5 & 20 West	Cell: 585-281-7113	Quote ID:	QT-7095
Canandaigua, NY 14424	Fax: (585) 394-3767	Quoted By:	Nick Kryder
Customer #: 166678	E-mail: jfletcher@townofcanandaigua.org	Quote Term:	3 Year
Payment Type: Pay As You Go			

**Site Name:TOWN OF CANANDAIGUA WATER**

(5614 GOODALE ROAD CANANDAIGUA NY 14424)

Unit Name: Goodale Pump	<b>Year</b>	<b>Month of 1st Service</b>	<b>Service Type</b>	<b>Qty</b>	<b>Sell Price</b>	<b>Extended Price</b>
Make: Onan	1	November	Inspection	1	\$749.83	\$749.83
Model: DSHAE-5938164/C	1	May	Full Service	1	\$1,034.29	\$1,034.29
S/N: K070124569	Year 1 Total:\$1,784.12					
Size: 125kW	2	November	Inspection	1	\$749.83	\$749.83
ATS Qty: 0	2	May	Full Service	1	\$1,034.29	\$1,034.29
Notes:	Year 2 Total:\$1,784.12					
	3	November	Inspection	1	\$761.72	\$761.72
	3	May	Full Service	1	\$1,057.48	\$1,057.48
	Year 3 Total:\$1,819.20					

**Total Agreement Amount:\*** **\$5,387.44**

*\*Quote does not include applicable taxes*



Cummins Inc.  
 700 Aero Drive  
 Buffalo, NY 14225  
 Phone: (716)829-1700

**PLANNED EQUIPMENT MAINTENANCE AGREEMENT**

Customer Address	Customer Contact	Quote Information
Canandaigua Highway Dept Accounts Payable 5440 Route 5 & 20 West Canandaigua, NY 14424 Customer #: 166678 Payment Type: Pay As You Go	Name: Jim Fletcher Phone: (585) 394-3300 Cell: 585-281-7113 Fax: (585) 394-3767 E-mail: jfletcher@townofcanandaigua.org	Quote Date: 10/8/2018 Quote Expires: 12/7/2018 Quote ID: QT-7095 Quoted By: Nick Kryder Quote Term: 3 Year

**Total Agreement Amount:\***

**\$5,387.44**

*\*Quote does not include applicable taxes*

Comment:

**Total Agreement Amount Does Not Include Applicable Taxes. Please call (855) 466-6293 for invoice total prior to sending payment.**

**Please return signed agreement to:**

Cummins Inc.  
 Attn: Planned Maintenance Department  
 155 Rittenhouse Circle  
 Bristol, Pa 19007  
 Phone: (855) 466-6293  
 Fax: (267) 552-6847  
 Email: cpspm@cummins.com

Seller hereby agrees to sell to Buyer, and Buyer hereby agrees to buy from Seller, the foregoing products/services upon the terms and conditions set forth in the "Planned Equipment Maintenance Agreement Terms and Conditions" attached hereto, which are hereby incorporated herein by reference.

**Customer Approval (Quote ID QT-7095)**

**Cummins Inc. Approval**

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_

## PLANNED MAINTENANCE AGREEMENT TERMS AND CONDITIONS

These Planned Maintenance Agreement Terms and Conditions, together with the Quote on the front side and the Scope of Services, are hereinafter referred to as this "Agreement" and shall constitute the entire agreement between the customer identified in the Quote ("Customer") and Cummins Inc. and supersedes any previous agreement or understanding (oral or written) between the parties with respect to the subject matter of this Agreement.

**1. SCOPE OF SERVICES; PERFORMANCE OF SERVICES.** Cummins Inc. shall perform the maintenance ("Services") on the equipment identified in the Quote ("Equipment") in accordance with the schedule specified in the Quote. The Services include those services defined in the "Service Event" section of the Quote. No additional services or materials are included in this Agreement unless agreed upon by the parties in supplemental documentation. Cummins Inc. shall provide the Services in a safe and workmanlike manner. Cummins Inc. has licenses, permits, authorizations, or registrations necessary to perform the Services. Unless otherwise indicated in the Quote, Cummins Inc. will provide the labor and tools necessary to perform the Services and shall keep Customer's property free from accumulation of waste materials caused by Cummins Inc.' operations.

Customer shall provide Cummins Inc. safe access to Customer's site and arrange for all related services and utilities necessary for Cummins Inc. to perform the Services. During the performance of the Services, Customer shall fully and completely secure all or any part of any facility where the Equipment is located for any and all safety issues that an electrical service interruption might cause, including but not limited to injury to facility occupants, customers, invitees, or any third party and/or property damage or work interruption arising out of the Services.

**2. PAYMENT TERMS.** If Customer has approved credit, as determined by Cummins Inc., payment terms are net thirty (30) days from the date of invoice unless otherwise specified in the Quote. If payment is not received when due, in addition to any rights Cummins Inc. has under the law and charges that Cummins Inc. may levy against Customer under statute (including attorney fees and costs of collection), Cummins Inc. may charge Customer eighteen percent (18%) annually, or the maximum amount allowed by law, on late payments. If Customer does not have approved credit payment shall be due immediately at the time of invoice.

**3. DELAYS.** Cummins Inc. shall not be liable for any delays in performance that result directly or indirectly from acts of Customer or causes beyond Cummins Inc.' control, including but not limited to acts of God, accidents, fire, explosions, flood, unusual weather conditions, acts of government authority, labor disputes, and/or union mandated procedures resulting in a loss of time and productivity in services being performed.

**4. WARRANTY.** Limited warranties apply for select parts and components as defined by the respective component manufacturer's limited warranties. All Services shall be free from defects in workmanship for a period of ninety (90) days after completion of Services. In the event of a warrantable defect in workmanship, Cummins Inc.' obligation shall be limited to correcting the defective workmanship. Cummins Inc. shall correct the nonconforming Services where (i) such nonconformity becomes apparent to Customer during the warranty period; (ii) Cummins Inc. receives written notice of any nonconformity within thirty (30) days following discovery by Customer; and (iii) Cummins Inc. has determined that the Services are nonconforming. Services corrected or re-performed shall be subject to the remaining warranty period of the original warranty of the Services. New parts supplied during correction or re-performance of Services are warranted for the balance of the warranty period still available from the original warranty of such parts. The remedies set forth in this Section 4 shall not be deemed to have failed of their essential purpose so long as Cummins Inc. is willing to correct defective Services or refund the purchase price therefor.

### **5. LIMITATIONS ON WARRANTIES AND REMEDIES.**

**Cummins Inc. expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability and warranty for fitness of a particular purpose, to the extent permitted by law. The warranties set forth herein are the sole warranties made by Cummins Inc. Some states do not allow limitation on warranties, so these limitations may not apply to you.**

**THE MAXIMUM LIABILITY, IF ANY, OF EITHER PARTY FOR ANY DAMAGES, INCLUDING WITHOUT LIMITATION, AGREEMENT DAMAGES AND DAMAGES FOR PROPERTY, WHETHER ARISING FROM CUMMINS INC.' INDEMNITY HEREUNDER, BREACH OF AGREEMENT, BREACH OF WARRANTY, NEGLIGENCE, STRICT LIABILITY, OR OTHER TORT, IS LIMITED TO AN AMOUNT NOT TO EXCEED THE PRICE OF THE SERVICES PAID BY CUSTOMER UNDER THIS AGREEMENT WHICH SHALL BE THE SOLE REMEDY UNDER THIS AGREEMENT. IN NO EVENT SHALL EITHER PARTY BE LIABLE FOR INDIRECT, INCIDENTAL, SPECIAL, PUNITIVE, OR CONSEQUENTIAL DAMAGES OF ANY KIND (INCLUDING WITHOUT LIMITATION DOWNTIME, PROPERTY DAMAGE, LOSS OF PROFIT OR REVENUE, LOSS OF DATA, DAMAGE TO GOODWILL) HOWSOEVER CAUSED ARISING FROM THIS AGREEMENT OR THE BREACH OF THIS AGREEMENT, WHETHER IN INDEMNITY, TORT, CONTRACT, OR OTHERWISE. NOTHING IN THIS AGREEMENT EXCLUDES OR LIMITS LIABILITY FOR DEATH OR PERSONAL INJURY CAUSED BY A PARTY'S GROSS NEGLIGENCE OR WILLFUL MISCONDUCT. BY ACCEPTANCE OF THIS AGREEMENT, CUSTOMER ACKNOWLEDGES CUSTOMER'S SOLE REMEDY AGAINST CUMMINS INC. FOR ANY LOSS SHALL BE THE REMEDY PROVIDED HEREIN.**

**6. INDEMNITY.** Each party shall indemnify and hold harmless the other party, its affiliates, subsidiaries, officers, directors, agents and employees from and against any and all third party losses, costs, liabilities, damages and expense, including reasonable attorney and expert fees (collectively, "Losses"), subject to the limitations on claims and damages in Section 5, attributable to bodily injury or property damage to the extent it is conclusively determined that such Losses were directly caused by the gross negligence or willful misconduct of such party. The party seeking indemnification shall give written notice to the other party promptly upon learning of the events giving rise to such claim; provided, however, that failure to provide such notice promptly shall only relieve an indemnifying party of its obligations hereunder to the extent it is prejudiced by such delay. The indemnifying party shall select counsel to control and manage the defense of a claim and the settlement thereof and shall keep the indemnified party apprised of all material developments with respect to such claim. The indemnified party may, at its expense, select additional co-counsel. The indemnifying party shall have no obligation to indemnify or hold harmless the indemnified party for any Losses conclusively determined to be caused by the negligence or willful misconduct of the indemnified party.

**7. CONFIDENTIALITY.** Each party shall keep confidential any information received from the other that is not generally known to the public and at the time of disclosure, would reasonably be understood by the receiving party to be proprietary or confidential, whether disclosed in oral, written, visual, electronic or other form, and which the receiving party (or agents) learns in connection with this Agreement including, but not limited to: (a) business plans, strategies, sales, projects and analyses; (b) financial information, pricing, and fee structures; (c) business processes, methods and models; (d) employee and supplier information; (e) specifications; and (f) the terms and conditions of this Agreement. Each party shall take necessary steps to ensure compliance with this provision by its employees, and agents.

**8. GOVERNING LAW.** This Agreement shall be governed by and construed in accordance with the laws of the State in which services are to be rendered or performed without giving effect to any choice or conflict of law provision. The parties agree that the courts of the State in which services are to be rendered or performed and shall have exclusive jurisdiction to settle any dispute or claim arising in connection with this Agreement.

**9. INSURANCE.** Upon Customer's request, Cummins Inc. will provide to Customer a Certificate of Insurance evidencing Cummins Inc.' relevant insurance coverage.

**10. ASSIGNMENT.** This Agreement shall be binding on the parties and their successors and assigns. Customer shall not assign this Agreement without the prior written consent of Cummins Inc.

**11. IP.** Any intellectual property rights created by Cummins Inc. in the course of the performance of any Agreement or otherwise shall remain Cummins Inc.' property. Nothing in these conditions shall be deemed to have given Customer a licence or any other rights to use any of the intellectual property rights of Cummins Inc.

**12. MISCELLANEOUS.** Cummins Inc. shall be an independent contractor with respect to the Services performed under this Agreement. All notices under this Agreement shall be in writing and be delivered personally, mailed via first class certified or registered mail, or sent by a nationally recognized express courier service to the addresses set forth in the Quote. No amendment of this Agreement shall be valid unless it is writing and signed by the parties hereto. Failure of either party to require performance by the other party of any provision hereof shall in no way affect the right to require such performance at any time thereafter, nor shall the waiver by a party of a breach of any of the provisions hereof constitute a waiver of any succeeding breach. Any provision of this Agreement that is invalid or unenforceable shall not affect the validity or enforceability of the remaining terms hereof.

**13. Termination.** Either party has the right, to terminate this Agreement within thirty (30) days prior notice, unless the work has already been performed and completed.



## Check Points for Annual Full Service Inspection

- Battery condition including cleaning of the terminals and adding water, if needed
- Battery charger operation and charge rate, adjustment if necessary
- Replacement of lubrication oil and filters
- Perform oil analysis (If applicable)
- Disposal of waste oil and filters
- Replacement of fuel filters
- Replacement of water filters
- Inspection of coolant hoses, lubricant and fuel line hoses
- Test coolant system inhibitor level (coolant sample analysis)
- Test antifreeze protection level
- Inspect water pump and all belts
- Visually inspect fuel plumbing and fuel tank
- Inspect air filter and intake system
- Inspect exhaust system
- Functional testing of engine, generator set, including shutdowns, alarms and crank cycling
- Adjustment of engine governor and voltage regulator, if necessary
- Recording and verifying unit is running with proper temperature, pressures, and engine speed
- Check engine operation noting any unusual conditions of performance
- Function testing of automatic transfer switch, switchgear and/or annunciator, if possible (same location / on site)
- Check generator brushes and slip ring (if applicable), stator, lead splices, and circuit breaker
- Inspection of block heater and hoses

## Check Points for Minor Inspections

- Battery condition including cleaning of the terminals and adding water, if needed
- Battery charger operation and charge rate, adjustment if necessary
- Inspection of coolant hoses, lubricant and fuel line hoses
- Test coolant system inhibitor level
- Test antifreeze protection level
- Inspect water pump and all belts
- Visually inspect fuel plumbing and fuel tank
- Inspect air filter and intake system
- Inspect exhaust system
- Functional testing of engine, generator set, including shutdowns, alarms and crank cycling
- Adjustment of engine governor and voltage regulator, if necessary
- Recording and verifying unit is running with proper temperature, pressures, and engine speed
- Check engine operation noting any unusual conditions of performance
- Function testing of automatic transfer switch, switchgear and/or annunciator, if possible  
(same location / on site)
- Check generator brushes and slip ring (if applicable), stator, lead splices, and circuit breaker
- Inspection of block heater and hoses

# ATTACHMENT 21



August 28, 2017

FuelCloud Inc.  
100 S. Elliott Rd,  
Newberg, OR 97132  
info@fuelcloud.com

To Whom It May Concern:

This letter is to certify that Francis Smith and Sons is the exclusive distributor of FuelCloud products in the state of New York. Any other company wishing to sell FuelCloud products is required to purchase from Francis Smith and Sons.

Best Regards,

Alex Bretthauer  
CEO



PO Box 519  
Hillsboro, OR 97123



(844) 792-6071



info@fuelcloud.com



**FRANCIS SMITH & SONS, INC.**

26 SAM'S ROAD SCOTT TOWNSHIP, PA 18447

PHONE: 570-587-4775 FAX: 570-586-7867

PETROLEUM EQUIPMENT SPECIALISTS

October 29, 2018

Town of Canandaigua  
Attn: Jim Fletcher  
5440 Route 5&20  
Canandaigua, NY 14424

RE: Fuel Cloud Fuel Management System

Dear Jim,

We are pleased to offer the following proposal for your consideration

1 – Fuel Cloud Fuel management system, includes the following

- Cloud Box (single hose control)
- Cloud link (expands system to additional 5 hoses)
- Extreme Temperature Tablet enclosure
- I Pad with WI-FI cell

\$4,485.00

Terms: Net 30

Tax: Exempt with proper certificate

Freight: Delivered

Sincerely

Bill Beach

# ATTACHMENT 22



# Blair Supply Corp.

Water Works A Specialty Sewer & Highway Department Supplies

785 Beahan Road  
Rochester, NY 14624  
585 436-9624  
Fax: 436-1907

Southern Tier  
Avoca, NY 14809  
607 566-2214  
Fax: 566-2441

Eastern NY Sales  
Utica/Albany Region  
800 515-6254

Northeast Branch  
Watertown, NY 13601  
315 788-4846  
Fax: 782-7314

www.blairsupplyusa.com

## QUOTATION

<b>QUOTE NUMBER</b>	70473
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<b>PAGE</b>	1
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TO: CANANDAIGUA TOWN OF meter pit materials  
HIGHWAY DEPT  
5440 RTE. 5 & 20 WEST  
CANANDAIGUA, NY 14424  
Fax: 585-394-3767

DATE	PRICES EXPIRE	TERMS	FOB	PREPARED BY
10/31/18	11/19/18	NET 30 DAYS		MURPHY, JOHN

QTY	PART NUMBER	DESCRIPTION	PRICE	EXTENDED
	We are pleased to submit this quote for the following material:			
1	TLR5-635-12X8	12 X 8 MJ REDUCER DI SSB	185.64	185.64
2	TLR5-620-8	8 MJ TEE DI SSB	212.84	425.68
2	FRDFTSS-930X8	8 X 8 SS TAPPING SLEEVE	567.14	1134.28
2	MUCT2360-19-8	8 MJ RS TAPPING VALVE OL	1284.52	2569.04
1	tlr5-620-8x6	8 X 6 MJ TEE DI SSB	180.16	180.16
1	FRDFTSS-1350X8	12 X 8 SS TAPPING SLEEVE	640.32	640.32
1	MUCT2360-19-8	8 MJ RS TAPPING VALVE OL	1284.52	1284.52
3	TLR5-600-8	8 MJ 90 BEND DI SSB	145.91	437.73
4	BSC9009	LINK SEAL WALL SLEEVE 8" C900	109.43	437.72
5	TLR5-720-8	8 DI FLG TEE	689.50	3447.50
3	MUCA2360-23-6	6 MJ RW GATE VALVE OL	592.00	1776.00
3	MUCA2360-23-8	8 MJ RW GATE VALVE OL	963.20	2889.60
7	muca2360-6-8	8 FLG RW GATE VALVE OL W/ HW	981.40	6869.80
			<b>QUOTATION TOTAL</b>	



# Blair Supply Corp.

Water Works A Specialty

Sewer &amp; Highway Department Supplies

785 Beahan Road  
Rochester, NY 14624  
585 436-9624  
Fax: 436-1907

Southern Tier  
Avoca, NY 14809  
607 566-2214  
Fax: 566-2441

Eastern NY Sales  
Utica/Albany Region  
800 515-6254

Northeast Branch  
Watertown, NY 13601  
315 788-4846  
Fax: 782-7314

www.blairsupplyusa.com

## QUOTATION

QUOTE NUMBER

70473

PAGE

2

TO: CANANDAIGUA TOWN OF meter pit materials  
HIGHWAY DEPT  
5440 RTE. 5 & 20 WEST  
CANANDAIGUA, NY 14424  
Fax: 585-394-3767

DATE	PRICES EXPIRE	TERMS	FOB	PREPARED BY
10/31/18	11/19/18	NET 30 DAYS		MURPHY, JOHN

QTY	PART NUMBER	DESCRIPTION	PRICE	EXTENDED
1	MUCA2360-23-12	12 MJ RW GATE VALVE OL	1900.35	1900.35
5	EBA2108DI	8 MEGA FLG ADPTER DIP	183.42	917.10
2	tlr5-754t-8x2	8 BLIND FLG TAPT 2 IP	145.60	291.20
4	MRK9009	ECLIPSE #88-SS 3'BURY SAMPLE STATIO	1004.00	4016.00
4	MUDH15403-3/4-N	3/4 UNION COMP CTS	17.94	71.76
2	MUDH15008-3/4-N	3/4 CORP CC X COMP	32.11	64.22
2	TLRFOE-8X2DI	8 X 2 FLG X PE DI PIPE	258.53	517.06
4	TLR9009	8" DI SPOOL FLG X FLG 18" DOMESTIC	390.89	1563.56
1	TLR9009	8"DI SPOOL FLG X FLG 19.5" LONG DOM	410.20	410.20
1	TLRFOE-8X2DI	8 X 2 FLG X PE DI PIPE	244.00	244.00
1	TLRFOE-8X8DI	8 X 8 FLG X PE DI PIPE	486.20	486.20
6	TLR9009	8"DI FLG X PE SPOOL 18" LONG DOMEST	244.00	1464.00
2	MUA9009	MUELLER 8" FLG SWING CHECK W/L&S	3423.29	6846.58
1	KZ860-54-0217-16	8 HYMAX CPLG 8.54-9.84 OD	232.97	232.97
			<b>QUOTATION TOTAL</b>	





# Blair Supply Corp.

Water Works A Specialty Sewer & Highway Department Supplies

785 Beahan Road  
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Southern Tier  
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## QUOTATION

<b>QUOTE NUMBER</b>	70473
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<b>PAGE</b>	3
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TO: CANANDAIGUA TOWN OF meter pit materials  
HIGHWAY DEPT  
5440 RTE. 5 & 20 WEST  
CANANDAIGUA, NY 14424  
Fax: 585-394-3767

DATE	PRICES EXPIRE	TERMS	FOB	PREPARED BY
10/31/18	11/19/18	NET 30 DAYS		MURPHY, JOHN

QTY	PART NUMBER	DESCRIPTION	PRICE	EXTENDED
1	KZ860-54-0315-16	12 HYMAX CPLG 12.40-13.66 OD	353.74	353.74
1	MUAA423-5.5NR	5.25 HYD 3W NST, 5.5'B FIRE HYDRANT	2372.15	2372.15
1	TLR5-625-8X6	8 X 6 MJ X SWIVEL TEE DI SSB	205.36	205.36
1	TLR5-698-6X24	6 X 24 MJ ANCHOR PIPE	169.32	169.32
1	MUCA2360-23-6	6 MJ RW GATE VALVE OL	592.00	592.00
25	FRDUFR1500C-8	8 MJ WEDGE ACTION RESTRAINT PVC	38.90	972.50
3	FRDUFR1500C-12	12 MJ WEDGE ACTION RESTRAINT PVC	77.30	231.90
11	BIBB5003-22	5 1/4 SCREW TYPE VB 2PC 36-60	113.00	1243.00
2	GIGP50	2 POST HYD AQUARIS - 100 5'	295.22	590.44
2	TLR5-754T-6X2	6 BLIND FLG TAPT 2 IP	95.90	191.80
1	TLRFOE-8X6DI	8 X 6 FLG X PE DI PIPE	372.36	372.36
			48597.76	
2	====> optional	Badger M2000 Mag meter		

<b>QUOTATION TOTAL</b>	
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# Blair Supply Corp.

Water Works A Specialty Sewer & Highway Department Supplies

785 Beahan Road  
Rochester, NY 14624  
585 436-9624  
Fax: 436-1907

Southern Tier  
Avoca, NY 14809  
607 566-2214  
Fax: 566-2441

Eastern NY Sales  
Utica/Albany Region  
800 515-6254

Northeast Branch  
Watertown, NY 13601  
315 788-4846  
Fax: 782-7314

www.blairsupplyusa.com

## QUOTATION

<b>QUOTE NUMBER</b>	70473
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<b>PAGE</b>	4
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TO: CANANDAIGUA TOWN OF meter pit materials  
HIGHWAY DEPT  
5440 RTE. 5 & 20 WEST  
CANANDAIGUA, NY 14424  
Fax: 585-394-3767

DATE	PRICES EXPIRE	TERMS	FOB	PREPARED BY
10/31/18	11/19/18	NET 30 DAYS		MURPHY, JOHN

QTY	PART NUMBER	DESCRIPTION	PRICE	EXTENDED
3	BM9009	BADGER 8" M2000 MAG METER W/REMOTE APML, NEMA6P FOR SUBM.75' CABLE, SS GRD RGS, W/ORION ENDPPOINTS. PREPROGRAMMED.	3058.19	9174.57
			9174.57	
			<b>QUOTATION TOTAL</b>	57772.33



# Bid Proposal for T/O Canandaigua CR-10 Meter Pit

<b>CUSTOMER</b>	<b>All Bidders</b>	<b>Job</b>
		T/O Canandaigua CR-10 Meter Pit Bid Date: 10/22/2018 09:00 a.m. Bid #: 742947
<b>CONTACT</b>	<b>Sales Representative</b>	<b>Core &amp; Main</b>
	Peter Kaskela (T) 585-424-5800 (F) 585-424-7275 Peter.Kaskela@coreandmain.com	1220 Brighton-Henrietta Townline Rd Rochester, NY 14623 (T) 585-424-5800
<b>NOTES</b>		



## Bid Proposal for T/O Canandaigua CR-10 Meter Pit

**All Bidders****Bid Date:** 10/22/2018 09:00 a.m.**Core & Main Bid #:** 742947**Core & Main**

1220 Brighton-Henrietta

Townline Rd

Rochester, NY 14623

**Phone:** 585-424-5800**Fax:** 585-424-7275

Seq#	Qty	Description	Units	Price	Ext Price
10	1	12X8 MJ RED C153 USA	EA	196.86	196.86
20	3	8 MJ TEE C153 USA	EA	225.70	677.10
40	1	FTSS-930-8 8X8 SS TAP SLEEVE SS FLG, OD 9.05-9.30 F/DIP	EA	737.56	737.56
50	1	8 T2362-19 MJ RW TAP VLV OL ON 2" OP NUT L/ACC	EA	1,254.38	1,254.38
60	1	#22 VALVE BOX DOMESTIC	EA	114.78	114.78
				<b>SUBTOTAL</b>	<b>2,106.72</b>
80	1	8X6 MJ TEE C153 USA	EA	189.65	189.65
90	1	12X8 MJ TEE C153 USA	EA	377.12	377.12
110	1	FTSS-1350-8 12X8 SS TAP SLV SS FLG, 13.50 OD F/DIP	EA	936.83	936.83
120	1	8 T2362-19 MJ RW TAP VLV OL ON 2" OP NUT L/ACC	EA	1,254.38	1,254.38
130	1	#22 VALVE BOX DOMESTIC	EA	114.78	114.78
				<b>SUBTOTAL</b>	<b>2,305.99</b>
150	3	8 MJ 90 C153 USA	EA	153.59	460.77
160	36	LINK SEAL LS-400-C	EA	9.65	347.40
170	5	8 FLG TEE C110 USA	EA	710.25	3,551.25
190	3	6 A2362-23 MJ RW GV OL L/ACC	EA	605.17	1,815.51
200	3	#22 VALVE BOX DOMESTIC	EA	114.78	344.34
				<b>SUBTOTAL</b>	<b>2,159.85</b>
220	3	8 A2362-23 MJ RW GV OL L/ACC	EA	963.84	2,891.52
230	3	#22 VALVE BOX DOMESTIC	EA	114.78	344.34
				<b>SUBTOTAL</b>	<b>3,235.86</b>
250	7	8" OSY MUELLER FL X FL	EA	1,666.12	11,662.84
270	1	12 A2362-23 MJ RW GV OL L/ACC	EA	1,901.58	1,901.58
280	1	#22 VALVE BOX DOMESTIC	EA	114.78	114.78
				<b>SUBTOTAL</b>	<b>2,016.36</b>
300	5	UFA200-C 8 UNI-FLG 9.05 DIP	EA	64.48	322.40
320	2	8X2 TAPT BLIND FLG DI USA	EA	167.63	335.26
330	2	2X3/4 BRASS BUSHING NL (I) NO LEAD	EA	11.28	22.56
				<b>SUBTOTAL</b>	<b>357.82</b>
350	4	KUPFERLE ECLIPSE 88-SS	EA	1,044.71	4,178.84
360	<b>SAMPLING STATION WITH 3'</b>				
370	<b>PEDISTAL &amp; 3' BURY</b>				



## Bid Proposal for T/O Canandaigua CR-10 Meter Pit

Bid #: 742947

Seq#	Qty	Description	Units	Price	Ext Price
390	2	B25008N 3/4 BALL CORP CCXCTSC CC X CTS COMP NO LEAD	EA	49.23	98.46
400	2	BR2B0899CC075 SAD 8X3/4CC 8.99-9.67 DBL STRAP BRNZ SAD	EA	139.26	278.52
410	2	H15428N 2 ADPT 110 CTSXMIP NO LEAD	EA	74.22	148.44
			<b>SUBTOTAL</b>		<b>525.42</b>
430	2	8" PIPE HANGER	EA	250.01	500.02
440	12	3/4X6' SS ALL THRD ROD	FT	5.00	60.00
450	10	3/4 SS HVY HEX NUT	EA	0.72	7.20
460	10	3/4" SS FLAT WASHER	EA	0.72	7.20
480	2	8 FLGXFLG DI PIPE 1'5"	EA	282.36	564.72
490	2	8 FLGXFLG DI PIPE 2'	EA	282.36	564.72
500	2	8 FLGXPE DI PIPE 3'	EA	223.53	447.06
510	1	8 FLGXPE DI PIPE 1'6"	EA	188.24	188.24
520	1	8 FLGXPE DI PIPE 9'	EA	541.18	541.18
530	2	8 FLGXFLG DI PIPE 1'6"	EA	276.48	552.96
540	3	8 FLGXFLG DI PIPE 5'	EA	411.77	1,235.31
550	2	200PSI 2 1/2 L.F. GAUGE	EA	15.39	30.78
560	1	#77 MAINGUARD POST HYD. 3'0" 2 FIP VERTICAL INLET, 2-1/2 NST OUTLET	EA	540.00	540.00
570	1	6X2 TAPT BLIND FLG DI IMP	EA	164.71	164.71
590	1	8" LEVER AND SPRING CHECK VLV FL X FL MUELLER	EA	1,397.95	1,397.95
610	1	860-56-0217-16 8" HYMAX CPLG 8.54-9.17 LR, 9.13-9.84 HR OD	EA	234.00	234.00
620	1	860-56-0315-16 12" HYMAX CPLG 12.40-13.03 LR; 12.99-13.66 HR	EA	355.32	355.32
640	1	MUEL A423 5'6"B NST HYD L/ACC O/L,1-1/2"PENT, 4.5"PN, 2.5"HN THRDS=NST, RED A423-501147	EA	2,398.11	2,398.11
650	1	6X24 HYDRANT LEAD USA	EA	176.67	176.67
660	1	8X6 MJ ANCH TEE C153 USA	EA	217.76	217.76
670	1	6 A2362-23 MJ RW GV OL L/ACC	EA	605.17	605.17
680	1	#22 VALVE BOX DOMESTIC	EA	114.78	114.78
			<b>SUBTOTAL</b>		<b>3,512.49</b>
700	2	UFR1500-8-U RETAINER RED OD 8.63-9.05 DOMESTIC	EA	41.23	82.46
710	1	UFR1500-C-12-U RETAINR RED C900 PVC , COLOR CODED RED	EA	71.15	71.15
730		<b>AS NEEDED BELOW</b>			



Bid Proposal for T/O Canandaigua CR-10 Meter Pit

Bid #: 742947

Seq#	Qty	Description	Units	Price	Ext Price
740	20	8X1/8 FLG ACC RR FF 304SS B&N	EA	26.67	533.40
				<b>Sub Total</b>	<b>46,263.12</b>
				<b>Tax</b>	0.00
				<b>Total</b>	<b>46,263.12</b>

**Branch Terms:**

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES UPON THIRTY (30) CALENDAR DAYS' NOTICE TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: <https://coreandmain.com/TandC/>



# Bid Proposal for T/O Canandaigua 8" AWWA Check valve lever & weight

<b>CUSTOMER</b>	<b>All Bidders</b>	<b>Job</b> T/O Canandaigua 8" AWWA Check valve lever & weight Bid Date: 10/31/2018 07:00 a.m. Bid #: 752370	
	<b>CONTACT</b>	<table border="0"> <tr> <td><b>Sales Representative</b> Peter Kaskela (T) 585-424-5800 (F) 585-424-7275 Peter.Kaskela@coreandmain.com</td> <td><b>Core &amp; Main</b> 1220 Brighton-Henrietta Townline Rd Rochester, NY 14623 (T) 585-424-5800</td> </tr> </table>	<b>Sales Representative</b> Peter Kaskela (T) 585-424-5800 (F) 585-424-7275 Peter.Kaskela@coreandmain.com
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<b>NOTES</b>			



## Bid Proposal for T/O Canandaigua 8" AWWA Check valve lever & weight

**All Bidders****Bid Date:** 10/31/2018 07:00 a.m.**Core & Main Bid #:** 752370**Core & Main**

1220 Brighton-Henrietta

Townline Rd

Rochester, NY 14623

**Phone:** 585-424-5800**Fax:** 585-424-7275

Seq#	Qty	Description	Units	Price	Ext Price
10	1	A2600-6-01BB 8" LEVER/WEIGHT	EA	1,625.86	1,625.86
20		CHECK VALVE AWWA			
30		FLANGE X FLANGE			
				<b>Sub Total</b>	<b>1,625.86</b>
				<b>Tax</b>	0.00
				<b>Total</b>	<b>1,625.86</b>

**Branch Terms:**

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES UPON THIRTY (30) CALENDAR DAYS' NOTICE TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: <https://coreandmain.com/TandC/>



# ATTACHMENT 23

# CYNCON

Premier Municipal and Truck Equipment Since 1978

November 8, 2018

Jim Fletcher, Supt.  
Town of Canandaigua Highway  
5440 Route 5 & 20 West  
Canandaigua, NY 14424

Cyncon Equipment, Inc. is pleased to provide you with the quote for the following equipment:

**Description**

**Quote**

Bucks 40 yard Octagon Packer/Receiver container  
3/16" floor, 7 ga. Sides  
Rear rollers  
Painted standard color  
Delivered to Town of Canandaigua DPW  
4-5 week leadtime

**Total**                    **\$11,740.00**

*\* Quotes remain in effect for thirty (30) days from the date issued above.*

Thank you for the opportunity to supply your equipment needs. As always, please contact me with any questions.

Best regards,

*Jim O'Brien*

Sales Representative

# **T**enco Industries INC.

5700 S. Lima Rd  
P.O. Box 635  
Lakeville, NY 14480  
Phone: 585-346-3040  
Fax: 585-346-2982

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November 9<sup>th</sup> 2018

Jim Fletcher

RE: Quote container

Tenco Inc. is pleased to offer the following equipment for your consideration.

Bucks 40 yard octagon container with:

3/16" floor

7guage sides with rear rollers

**Your cost for the above items delivered is \$12,084.00**

If you have any further questions please feel free to contact me at 1-800-808-3626.

All prices and freight terms are F.O.B. Lakeville, NY.

Thank you,  
Shane Chapman

# ATTACHMENT 24

TITLE OF LL:

An act to amend Chapter 220-9, Regulations Applicable to All Districts, regarding swimming pool dimensional requirements.

PURPOSE OR GENERAL IDEA OF BILL:

The purpose of this local law is to amend Town Code Chapter 220-9 to remove limits on the size of pools, and to clarify setback requirements of pools.

SUMMARY OF SPECIFIC PROVISIONS:

220-9W(2) (a) - Removes maximum size requirements in residential zones.

220-9W(2) (c) - Clarifies the setback requirement for pools, pool decks, and pool accessories as the setback for accessory buildings in the underlying zoning district.

JUSTIFICATION:

The Ordinance Committee is suggesting removing all size requirements on pools for single-family residences because:

- US Consumer Product Safety Commission provides guidelines regarding swimming pool safety. Does not mention size of the pool.<sup>12</sup>
- There does not appear to be National Standards suggesting a need to regulate sizes outside of those regulations within State Building Code.
- Reviewing materials by the American Red Cross, there does not appear to be a recommendation for a specific pool size in relation to coverage area. Lifeguard training books don't refer to specific size limits but say that a lifeguard should be able to cover their "zone" within 20 seconds.<sup>3</sup>

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<sup>1</sup> [http://suffieldct.gov/filestorage/10102/10206/10479/10481/Swimming\\_Pool\\_Guide.pdf](http://suffieldct.gov/filestorage/10102/10206/10479/10481/Swimming_Pool_Guide.pdf)

<sup>2</sup> <https://www.cpsc.gov/newsroom/news-releases/1974/cpsc-issues-swimming-pool-safety-tips>

<sup>3</sup>

[https://books.google.com/books?id=jbn\\_6jl9\\_JQC&pg=PA11&lpg=PA11&dq=area+covered+by+lifeguards+zone+coverage&source=bl&ots=49ubqew5Rk&sig=QITvIC6fKOD6tMIUJqUKuPFn4dA&hl=en&sa=X&ved=2ahUKewir9vLfw6bdAhVChcAKHca3CLkQ6AEwBXoECAQQAQ#v=onepage&q=area%20covered%20by%20lifeguards%20zone%20coverage&f=false](https://books.google.com/books?id=jbn_6jl9_JQC&pg=PA11&lpg=PA11&dq=area+covered+by+lifeguards+zone+coverage&source=bl&ots=49ubqew5Rk&sig=QITvIC6fKOD6tMIUJqUKuPFn4dA&hl=en&sa=X&ved=2ahUKewir9vLfw6bdAhVChcAKHca3CLkQ6AEwBXoECAQQAQ#v=onepage&q=area%20covered%20by%20lifeguards%20zone%20coverage&f=false)

- Do Neighboring Communities regulate pool size:
  - Victor: NO (<https://www.ecode360.com/8088335>)
  - Farmington: NO (<https://www.ecode360.com/10577540>)
  - Gorham: NO ([https://www.gorham-ny.com/pdf/form\\_application\\_resource/pdf9\\_pdf.pdf](https://www.gorham-ny.com/pdf/form_application_resource/pdf9_pdf.pdf))
  - Bristol: NO ([http://www.townofbristol.org/documents/files/zoningOrd\\_2011\\_05\\_11.pdf](http://www.townofbristol.org/documents/files/zoningOrd_2011_05_11.pdf))
  - South Bristol: NO (<https://ecode360.com/12905061>)
  - East Bloomfield: NO (<https://ecode360.com/12905061>)
  - Geneva, Town: NO (<https://ecode360.com/12655140?highlight=pools#12655140>)
  - Phelps: NO (<https://www.ecode360.com/12715989?highlight=pools#12715989>)
- Other NY Communities:
  - Pittsford: NO (<https://ecode360.com/6436669>)
  - Perinton: NO (<https://www.ecode360.com/search/PE0097?query=pool>)
  - Bethlehem: 10% Lot Cover (<https://ecode360.com/8995163?highlight=pool,pools#8995163>)
  - Batavia: NO (<https://ecode360.com/8982677>)
  - Brighton: NO (<https://www.ecode360.com/9441949>)
- After looking into the environmental impact of swimming pools, there does not appear to be much evidence that the size of swimming pool has greater environmental impact than other structures. As with building, the placement and design dictate how overland water moves. Underground drainage is not significantly impacted by swimming pools.
- By nature of their size, swimming pools do not appear to be a detriment to the health, safety and general welfare of the community, and the suggested changes are in keeping with the purpose of Chapter 220: Zoning.

Additionally, the Ordinance Committee is recommending changing the language of further sections of this Section to clarify setbacks for Pools because:

- The ZBA recently heard an interpretation request of this section regarding this distinction. While the ZBA upheld the Zoning Officer's determination, the Ordinance Committee seeks to use clear language to ensure all residents can clearly understand the requirements of Town Code.

177 - 2018	Town of Canandaigua Planning Board	Class: AR-1
Referral Type:	Minor Subdivision	
Applicant:	Venezia Associates	
Property Owner:	Norry, Lewis	
Tax Map No(s):	140.07-1-33.000	
Brief Description:	Subdivision and area variance to create a lot for each of 2 residences on 1.29 acre lot at 4621 and 4623CR 16 near Wells Curtis Road in the Town of Canandaigua. <a href="https://www.co.ontario.ny.us/DocumentCenter/View/15136/177_18-subdivision">https://www.co.ontario.ny.us/DocumentCenter/View/15136/177_18-subdivision</a>	

Because the parent parcel contains greater than 10% lands listed in the Town of Canandaigua Natural Resource Inventory, the project is subject to the Town's conservation subdivision regulations (174-16). The applicant has requested a waiver of these requirements.

The subdivision requires a lot width variance for Lot 2. Proposed lot width is 115' when 125' is required. An existing cottage on Lot 2 is setback 46.4' from the CR 16 ROW when 60' is required. As an existing building, the applicant is not required to request a variance. The subdivision plan shows easements between Lot 1 and Lot 2 regarding existing waste water treatment facility components. There is an access easement indicated to allow Lot 2 to access a driveway that originates north of Lot 1, crosses Lot 1 and approaches the rear of the cottage on Lot 2. Lot 2 also has an existing gravel access driveway directly off CR 16.

#### Comments

1. The subdivision map should also show an easement to Lots 1 and 2 from the lot to the north where the access drive connects to CR 16.
2. The Planning Board should consider how the proposed allocation of lake frontage (Lot 1 188', Lot 2 37') will impact the ability of a future lot owner to construct a dock.
3. While this property is not subject to access management regulations, the following excerpt from the Town of Gorham access management regulations indicates typical access connection spacing standards for roads with a functional classification of collector such as CR 16 in the Town of Canandaigua:

Posted Speed Limit (MPH)	Access Connection Space (ft.)	
	Arterial	Collector or Local
35 or less	245	125
40-45	440	245
>45	660	440

177.1 - 2018	Town of Canandaigua Planning Board	Class: AR-1
Referral Type:	Area Variance	
Applicant:	Venezia Associates	
Property Owner:	Norry, Lewis	
Tax Map No(s):	140.07-1-33.000	
Brief Description:	Subdivision and area variances to create a lot for each of 2 cottages on 1.85 acre lot at 4621, 4623, and 4625 CR 16 near Wells Curtis Road in the Town of Canandaigua.	

See information at 177-2018.

178 - 2018	Town of Canandaigua Town Board	Class: 2 Late Referral
Referral Type:	Text Amendment	
Applicant:	Town of Canandaigua	
Brief Description:	Text amendment to revise swimming pool dimensional requirements to follow setbacks for other accessory structures in the same district in the Town of Canandaigua	

**Board Motion:** To accept late submission of Referral # 178-2018 for CPB review.

**Motion made by:** M. Woodruff **Seconded by:** Ruby Morrison

**Vote:** 16 in favor, 0 opposed, 0 abstentions. **Motion carried.**

**Board Motion:** To retain referral # 178-2018 as a Class 2 and return to referring body with a recommendation for approval.

**Motion made by:** David Wink **Seconded by:** Patti Wirth

**Vote:** 16 in favor, 0 opposed, 0 abstentions. **Motion carried.**

Ms. Hooker said that the ECB is not included in the draft text for review of applications. She suggested that the draft text be amended to provide the ECB with the opportunity to review and make recommendations to the Planning Board and the Town Board on TDR applications.

Mr. Schwartz noted that RR-3 Zoning Districts are not included in the zoning districts that are designated for inclusion as part of the TDR Zoning District. The identified zoning districts in the draft text are:

- AR-1            Agricultural Rural Residential District
- AR-2            Agricultural Rural Residential District
- R-1-20         Residential Single-Family District
- R-1-30         Residential Single-Family District
- MR             Multiple Residential District—Duplex, Apartment and Townhouse
- NC             Neighborhood Commercial District
- CC             Community Commercial District
- RB-I            Restricted Business District
- LI             Limited Industrial District
- I                Industrial District

The Town Board may grant the following specific Permitted Incentives to a TDR applicant:

1.        Increase in dwelling unit density for a site.
2.        Changes in lot area and dimensional requirements.
3.        Changes of use and/or the allowing of multiple uses on a parcel.

**ECB Comments:** It is recommended that the Environmental Conservation Board be included in the application process for the opportunity to review and make recommendations upon Transfer of Development Rights applications.

**2. Referral of Local Law #000 to amend Town Code Section 220-9 (W) (2) related to the dimensional requirements for swimming pools:**

Mr. Cooper reviewed the revised draft of the amendment to Town Code Section 220-9 (W) (2) related to the dimensional requirements for swimming pools. He said that the Town Board had referred the draft back to the Ordinance Committee for further review of the dimensions of swimming pools.

Mr. Cooper reported that no neighboring communities and that no organizations have dimensional requirements for swimming pools in their local laws and/or regulations. He said that the Ordinance Committee has recommended that the size dimensions in the first draft of this Local Law be removed. Mr. Cooper also noted that swimming pools must still meet zoning setback requirements and that there



are additional regulations for swimming pools which are proposed in the Residential Lake District.

**ECB Comments:** None.

**h. REFERRALS FROM THE CITIZENS' IMPLEMENTATION COMMITTEE (CIC)**

None.

**i. REFERRALS FROM THE ORDINANCE COMMITTEE**

None.

**j. REFERRALS FROM THE PLANNING REVIEW COMMITTEE (PRC)**

*Referred October 15, 2018*

**CPN-18-071**

**James E. Beck, 6080 Yerkes Road**

TM #55.00-1-35.500

Requesting an Area Variance for placement of an 8-foot x 16-foot Woodtex shed within 100 feet of a stream.

Ms. Hooker presented the following description, findings and comments on this referral:

In accordance with Town of Canandaigua Town Code, Chapter 18, the Town of Canandaigua Environmental Conservation Board met on November 1, 2018, to review and provide comment relative to a site plan review application for a setback variance and site plan approval. Review was based on:

- Application materials on file as of November 1, 2018
- Property photos on file with Town Assessor and site visit
- Ontario County On-Cor maps
- Maps in 2018 *Town of Canandaigua Open Space Plan*
- Town policies and environmental feature maps incorporated in *Comprehensive Plan* and Land Use Planning documents adopted by Town Board (*see attached checklist*)

**Findings:**

1. The parcel lies within the Padelford Brook Greenway and the Strategic Farmland Protection Area, and a Class C stream runs through the parcel, draining through a wetland on the northern part of the parcel and on to a stream flowing north into Farmington. Because of the proximity of the proposed shed to the stream, the project merits special attention to ensure that the construction of that shed does

Surety Release Request Form signed by the Town Code Enforcement Officer describing the items involved with the subject Release #1 (Final) of the Erosion and Sediment Control Surety for this project; that the Planning Board has considered the requested Release #1 (Final) and the amount of funds associated therewith; that the Planning Board is satisfied with the details described in the requested Release #1 (Final) documents referenced above herein; that the Planning Board does hereby approve of the requested Release #1 (Final) in the amount of \$1,500.00 for the items specified on said documents; and that the Planning Board Chairperson is hereby directed to sign and date the Town of Canandaigua Surety Release Request Form and transmit said documents along with a copy of this resolution to the Town Supervisor for processing the release of the amount specified in said documents.

Motion carried by voice vote.

**f. Ordinance Committee Report:**

Mr. Cooper presented the following Ordinance Committee report:

*Review of Town Board Comments:*

**Site Design and Development Criteria: Update**

- Passed by Town Board at September meeting

**Vehicles:**

- Public Hearing set for October. Town Board requested minor changes to draft. Changes have been made and were sent to Chris Nadler for his action.

*Continued Proposals:*

**Swimming Pools:**

Following the 8/27/18 Ordinance Committee meeting, the Committee's research into Swimming Pool regulations led to the conclusion that: there may be no national standards regarding swimming pool size, neighboring communities do not regulate the size of pools, comparable communities do not regulate sizes of pools; and there is negligible hydraulic impact. It was the decision of the Committee to request the Town Board begin action on a Local Law to remove size requirements of swimming pools.

**220-9 Accessory Buildings:**

Discussion began on whether toilets should be allowed within accessory buildings so that we do not have unpermitted septic or sewer facilities impacting resources. While Committee felt this was a serious issue it raised a number of other

**CONDITIONS:**

1. The variance granted is specific to the most recent plan presented to the Zoning Board of Appeals submitted September 11, 2018 and received by the Town of Canandaigua Development Office on this date. Any change in plans shall invalidate the variance.
2. The variance is conditioned on building permits being issued within one (1) year of the date the variance is granted. Failure to obtain building permits within one (1) year shall invalidate the variance.
3. The existing accessory structure must be relocated to the rear or side yard in compliance with zoning regulations.

**CLOSED PUBLIC HEARINGS:** NONE AT THIS TIME

**BOARD BUSINESS:**

1. Approval of September 18, 2018 Meeting Minutes - Bob Hilliard made a motion to approve the Minutes as submitted with a second from Dave. Chip Sahler and Chairman Robinson abstained from the vote as they were absent last month. 3-0

Eric Cooper reminded all Board members to get their training hours completed before year's end.

Chairman Robinson left the meeting at 7:20 p.m. due to a conflict.

2. Review of Next Month's Agenda (November 20, 2018)
3. Referral from Town Board.
  - Local Law; 220-9 Swimming Pool size - Eric Cooper reviewed the proposal, basically eliminating any size limitations from the Zoning Ordinance. After a brief discussion, Board members were in concurrence with the proposed change.
  - Local Law; 220-34 Transfer of Development Rights - Eric Cooper and Attorney Nadler gave the Zoning Board members a broad oversight of the proposal from the Town Board. After some discussion, Board members were in concurrence with moving forward with this change to the ordinance.

**Adjournment** - Chip Sahler made a motion to adjourn at 8:00 p.m. Bob Hilliard seconded the motion. All AYE.

Respectfully submitted by: \_\_\_\_\_  
Cheryl A. Berry, Secretary  
Zoning Board of Appeals

10/3/18

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one.)

of CANANDAIGUA

Local Law No. \_\_\_\_\_ of the year 2018

A local law TO AMEND TOWN CODE SECTION 220-9(W)(2) RELATED TO THE  
(Insert Title)  
DIMENSIONAL REQUIREMENTS FOR SWIMMING POOL

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of CANANDAIGUA as follows:

SEE ATTACHMENT "A"

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20<sup>18</sup> of the (County)(City)(Town)(Village) of CANANDAIGUA was duly passed by the TOWN BOARD on \_\_\_\_\_ 20<sup>18</sup>, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20<sup>□□</sup>, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. *(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local *(Elective Chief Executive Officer\*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

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\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: \_\_\_\_\_

(Seal)

TOWN OF CANANDAIGUA  
LOCAL LAW # \_\_\_\_ OF 2018

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ATTACHMENT "A"

**SECTION ONE.** Town Code § 220-9(W)(2) shall be replaced in its entirety with the following:

**220-9(W) (2) Dimensional requirements.**

- (a) Swimming pools shall only be located in the rear and/or side yard of a lot.
- (b) No swimming pool and associated decks, patios or devices connected with the installation, maintenance or operation of a swimming pool, including but not limited to pump and filter enclosures, bathhouses and cabanas shall be constructed or erected closer than the setbacks for accessory structure of the zoning district.
- (c) Additional requirements for Swimming Pools in the Residential Lake District are in Town Code § 220-21.

**SECTION TWO. Severability.** If any portion of this Local Law shall be deemed by a court of competent jurisdiction to be invalid, illegal, or unenforceable, the remainder of this Local Law shall remain in full force and effect.

**SECTION THREE. Effective Date.** This Local Law shall take effect immediately upon its filing with the New York State Secretary of State.

# **DRAFT:**

## **SWIMMING POOL SIZE REVISION**

*LAST REVISED 11/12/2018*

220-9 W. Swimming pools.

(1) General requirements.

(a) Permit applications for swimming pools shall include a site drawing showing:

[1] All existing and proposed structures, including the swimming pool dimensions and depths.

[2] The distance of the swimming pool and other proposed structures from all boundary lines.

[3] The location of the on-site wastewater treatment system, if applicable.

[4] The well location, if applicable.

[5] Proposed lighting.

[6] Easements and any other additional information as may be required by the Town to demonstrate compliance with Town Code and other applicable laws.

(b) All swimming pools and their components shall comply with the requirements of the New York State Uniform Fire Prevention and Building Code.[3] [3] Editor's Note: See Executive Law § 370 et seq.

(c) Swimming pools shall be sited in compliance with the National Electrical Code and the electric service provider for the site.

(d) No swimming pool or discharge water shall drain upon the lands of the adjoining premises.

(e) Filter pumps and other mechanical devices used in connection with any swimming pool shall be located in order not to interfere with the health, safety and enjoyment of the adjoining premises.

(f) If the use of any private swimming pool shall be abandoned or permanently discontinued, the owner shall see that the excavated depression shall be filled in and that no potential hazard exists.

(2) Dimensional requirements.

~~(a) In any residential zone, no outdoor pool shall exceed 40 feet in length and 20 feet in width, or 30 feet in diameter in the case of a round or curved pool, nor shall the total perimeter of any pool exceed 125 feet.~~



~~(b)-(a)~~ Swimming pools shall only be located in the rear and/or side yard of a lot.

~~(e)(b)~~ No swimming pool and associated decks, patios or devices connected with the installation, maintenance or operation of a swimming pool, including but not limited to pump and filter enclosures, bathhouses and cabanas shall be constructed or erected closer than 15 feet to the rear or side lot line the setbacks for accessory structure of the zoning district.

~~(d)~~ On a corner lot in any district where a front yard is required, the swimming pool shall be no closer than 10 feet to the side lot line.

~~(e)~~ Any structures or devices connected with the installation, maintenance or operation of a swimming pool, including but not limited to concrete or wood patio areas, pump and filter enclosures, bathhouses and cabanas, shall also comply with the setback requirements of this section.

(c) Additional requirements for Swimming Pools in the Residential Lake District are in Town Code § 220-21.

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<b>NO</b>	<b>YES</b>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<b>NO</b>	<b>YES</b>
3.a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations?	<b>NO</b>	<b>YES</b>	<b>N/A</b>
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<b>NO</b>	<b>YES</b>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ _____	<b>NO</b>	<b>YES</b>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?  b. Are public transportation service(s) available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<b>NO</b>	<b>YES</b>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<b>NO</b>	<b>YES</b>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ _____	<b>NO</b>	<b>YES</b>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ _____	<b>NO</b>	<b>YES</b>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  b. Is the proposed action located in an archeological sensitive area?	<b>NO</b>	<b>YES</b>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<b>NO</b>	<b>YES</b>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<b>NO</b>	<b>YES</b>	
16. Is the project site located in the 100 year flood plain?	<b>NO</b>	<b>YES</b>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____ _____	<b>NO</b>	<b>YES</b>	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?          If Yes, explain purpose and size: _____          _____          _____</p>	<p><b>NO</b></p>	<p><b>YES</b></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?          If Yes, describe: _____          _____          _____</p>	<p><b>NO</b></p>	<p><b>YES</b></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?          If Yes, describe: _____          _____          _____</p>	<p><b>NO</b></p>	<p><b>YES</b></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: _____ Date: _____</p> <p>Signature: _____</p>		

Project:

Date:

***Short Environmental Assessment Form  
Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Project:

Date:

### ***Short Environmental Assessment Form Part 3 Determination of Significance***

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)

# ATTACHMENT 25

TITLE OF LL:

An act to amend Chapter 220-9, Regulations Applicable to all districts, regarding the siting requirements and size requirements for accessory buildings outside of the RLD.

PURPOSE OR GENERAL IDEA OF BILL:

The purpose of this local law is to amend Town Code Chapter 220-9, Subsection B to provide greater freedom to homeowners in their ability to place accessory buildings and remove existing, unnecessary or over burdensome restrictions.

SUMMARY OF SPECIFIC PROVISIONS:

See Redline version, last edited 10/02/2018. Also attached illustrations of potential alternatives.

JUSTIFICATION:

The Ordinance Committee is suggesting allowing structures within the front yard of rural or agricultural zoning districts because:

- During a review of Variances granted over the last 3 years, the requests for a structure within Front Yards are frequent and, within certain districts, nearly always granted. Between 2016 and 2018, it has been requested within the AR-1, AR-2 or RR-3 12 times and denied only once, a 92% success rate. These applications comprise the second largest variance request type annually. In, *A Better Way to Zone*, the author states that zoning should be flexible to adjust regulations that give rise to the most variances.
- In the experience of the Development Office speaking with potential applicants, there is a high demand for people to place an accessory building within their side yard or front yard.
- In an effort to reduce the costs of the ZBA process on property owners and to greater allow property owners the greatest ability to enjoy their property.
- Our Town Code is more restrictive than many neighboring and similar communities.
- Within Agricultural and Rural zoned areas, the character of the community includes accessory buildings in the front yard. For example, see the many barns fronting on roads.



Whereas residential areas have developed largely around the existing code where accessory buildings are in the rear.

- The suggested change may allow a reduction in impervious surface as Accessory Buildings may be built off of existing driveways instead of additional driveways built to rear.
- The applicant must still meet the minimum front yard requirement for principle buildings of 60 ft.
- The RR-3, AR-2, and AR-1 Zoning districts are more constrained by steep slopes, wooded areas, streams, wetlands, valuable farmland, etc. that the Town has stated its desire to protect. By allowing applicants the flexibility in siting structures we may reduce the desire to build near/within these resources.

Additionally, the Ordinance Committee is suggesting additional revisions to 220-9B(7) (d) to reduce current setbacks from the principle building for accessory buildings that are larger/taller because:

- Such restrictions burden the poor to a greater degree.
- The existing large setback causes greater disturbance to natural land area and increased impervious surface area.
- The Development Office has spoken to numerous residents impacted by this section who have ultimately abandoned their proposal.
- The Ordinance Committee has considered the comments from the ZBA and ECB regarding the character of certain parts of the Town, and provided additional protection to residential areas.
- While the Ordinance Committee could understand the aesthetic impact of such buildings and intent of existing code, the Committee could not see justification for such a large setback.
- No other communities have restrictions such as this.

Further, there are a number of through lots with multiple "Front Yards." These have also required - and received - variances in the past. For the same reasons as the previous change, language currently used for Through Lots within the RLD was used to rectify this.

#### Other Communities:

Town of Victor does not have these restrictions.

Town of Farmington does have similar restrictions. See [165-58](#)

Town of Gorham does not have these restrictions. See [31.8.5](#)

Town of Bristol does not have these regulations. See [34a,d](#)

Town of South Bristol does not have them. See [170-60](#)

Town of East Bloomfield does not have them. See [135-11](#)  
Town of Geneva does not have them. See [165-20](#)  
Town of Phelps: Detached Buildings in rear yard. See [145-22](#)  
Town of Macedon: No restrictions found.  
Town of Walworth: Limited restrictions. See [180-21](#)  
Town of Manchester: In rear yard. See [325-24](#)  
Village of Fairport: Setback equal to Principle Building. May be  
in front. See [Schedule](#)

**DRAFT:**  
**THROUGH LOTS / FRONT YARD STRUCTURE**  
**REVISION**

*LAST REVISED 11/12/2018*

**§ 220-9. Regulations applicable to all districts.**

[Amended 2-13-2012 by L.L. No. 1-2012; 4-8-2013 by L.L. No. 2-2013; 2-10-2014 by L.L. No. 1-2014; 10-17-2016 by L.L. No. 9-2016]

A. Preservation of natural features.

XXX

B. All accessory buildings and accessory structures, not including agricultural structures and except as otherwise specified in this chapter, shall be subject to the standards in this section.

(1) An accessory building attached to a principal building shall be considered a part of the principal building and is required to comply with the yard requirements of this chapter for the principal building. For the purposes of this section, "attached" shall mean physical connection by way of a common wall or foundation and not separated by an unenclosed exterior space. [Amended 7-17-2017 by L.L. No. 16-2017]

(2) No detached accessory building shall be closer to the street or right-of-way line than the minimum front yard setback for the principal building.

(3) Accessory buildings and structures for multiple-family dwellings, manufactured home parks, public uses, commercial uses and industrial uses may be allowed in rear or side yard(s) of the primary building(s).

(4) Detached accessory buildings and structures may be required to be fenced and/or buffered from adjacent properties, consistent with approved site plans, in order to protect the value of adjacent properties.

(5) Except as otherwise stated in this chapter, a nine-hundred-square-foot accessory building shall be allowed on vacant lots with no primary building or use and may be used for storage of materials, equipment, and other personal property in the AR-1, AR-2, RR-3 and SCR-1 districts. Such accessory building shall be subject to the setback and height requirements

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contained in the Zoning Schedule (Schedule I).<sup>13</sup> [1] *Editor's Note: Schedule I is included as an attachment to this chapter.*

(6) Accessory buildings shall not be used as habitable space.

(7) The following shall apply to lots with one or more single- and two-family dwellings outside of the Residential Lake District:

(a) A lot of 20,000 square feet or less may have:

[1] One detached ~~or attached~~ private garage;

[2] One additional detached accessory building not exceeding 200 square feet ~~plus 1% of the subject lot's area in square feet and rounded to the nearest fifty;~~  
and

[3] A total combined building footprint for all detached accessory buildings not exceeding ~~4,200~~ 1,300 square feet.

(b) A lot of greater than 20,000 square feet may have, in addition to attached accessory buildings:

[1] A maximum of five detached accessory buildings; and

[2] A total combined building footprint for all detached accessory buildings not exceeding 1,300 square feet plus 1% of the subject lot's area in square feet and rounded to the nearest hundred or 3,000 square feet, whichever is less.

(c) Height allowances:

[1] Detached accessory buildings with a building footprint of less than 1,000 square feet shall not exceed 16 feet in height.

[2] Detached accessory buildings with a building footprint of 1,000 square feet or greater shall not exceed 22 feet in height.

~~(d) Except within the AR-1, AR-2, and RR-3, detached accessory buildings that are taller than the principal building or have a footprint greater than that of the principal building, not including attached private garages, porches, decks, and patios, shall be separated from~~

**Commented [Z11]:** Our current language does not allow us to regulate. Removed to be clear.

**Commented [Z12]:** Detached private garages must be less than 900 sq. ft. Changed to accommodate previous revision.

**Commented [Z13]:** Changed to accommodate revision to allowable building footprint for lots less than 20k ft<sup>2</sup>.

the principal building by a distance equal to the side setback required for an accessory building.]

(e) Except within the AR-1, AR-2, and RR-3, detached accessory buildings, with the exception of detached private garages and storage sheds, shall be located in the rear yard and subject to the setback requirements for the district in which it is located.

(f) Except within the AR-1, AR-2, and RR-3, detached private garages and storage sheds shall be located to the rear of the front building line of the principal building and may be located in the side yard.]

(d) Detached accessory buildings that are taller than the principal building shall be separated from the principal building by a distance greater than twice the rear setback required for a principal building on the subject lot.

(e) Detached accessory buildings that have a footprint greater than that of the principal building, not including attached private garages, porches, decks and patios, shall be separated from the principal building by a distance greater than twice the rear setback required for a principal building on the subject lot.]

(f) With the exception of detached private garages, all detached accessory buildings shall be located in the rear yard and subject to the setback requirements for the district in which it is located.

(g) Detached private garages shall be located to the rear of the front building line of the principal building and may be located in a side yard.]

(gh) Except within the AR-1, AR-2, and RR-3, On corner lots, detached accessory structures shall be located in a side yard ]

(h) If a lot is divided by a street and the principal building is located on one portion of the lot, then the accessory building/structure may be permitted on the portion of the lot opposite the principal building. In this instance, the minimum setbacks for the zoning district shall apply.]

**Commented [Z14]:** In response to comments by the ZBA and ECB, the Ordinance Committee attempted to address issues of character by requiring greater separation distance within the residential areas

**Commented [Z15]:** Again, in response to comments by the ZBA and ECB regarding character impacts, the existing rules in residentially zoned areas are maintained.

**Commented [Z16]:** Removed to provide greater flexibility to property owners. Unknown justification for its existence. Would require greater wasted space within a parcel. Potentially would create greater impervious landcover and disturbance. Less convenient to applicants to use on property to be setback potentially 80 ft. from homes. NYS code separation still req'd.

**Commented [Z17]:** To allow Front/Side Yard Accessory Buildings that meet the setback requirement. Requirement to place in rear may create greater disturbance area. May cause greater impervious area.

**Commented [Z18]:** To allow building on corner lots in front yards, subject to front setback requirements.

**Commented [Z19]:** To create Through Lot regulation. Language taken from previously approved RLD Section of Code.

(i) Accessory buildings may have electrical, gas, and water service but no other utilities. <sup>21</sup> [2] *Editor's Note: Former Subsection B(7)(j), regarding decks or porches on accessory buildings, which immediately followed this subsection, was repealed 9-18-2017 by L.L. No. 17-2017.*

(8) Lots located within the NC, CC, RB-1, LI, and I districts that accommodate one or more existing agricultural uses and/or single- and two-family dwellings shall be allowed the same accessory uses, buildings, and structures specified in Town Code § 220-14, AR-1 Agricultural Rural Residential District, but subject to the lot and setback requirements applicable to their respective zoning district, except that accessory buildings and accessory structures used for the sale of agricultural and nursery products shall not be allowed along State Route 332.

(9) Additional requirements for detached accessory buildings and structures in the Residential Lake District are in Town Code § 220-21.

## Article II. Definitions and Word Usage

### § 1-17. Definitions

#### **STORAGE SHED**

A detached accessory building not used for the storage of vehicles. A storage shed shall not exceed 400 square feet in area.

**Commented [ZI10]:** As there is a great desire for sheds; their size and visual/environmental impact is minimal; and, applicants can easily go around rules; this will allow them to put sheds within side yards.

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>				
Town of Canandaigua Town Board				
Name of Action or Project: Local Law Amending the Regulation of Accessory Buildings Outside the RLD				
Project Location (describe, and attach a location map): Town of Canandaigua				
Brief Description of Proposed Action: The purpose of this local law is to execute a text code amendment to Town Code Chapter §220-9 that would amend existing regulations regarding the siting requirements and size requirements for accessory buildings outside of the RLD.				
Name of Applicant or Sponsor: Town of Canandaigua		Telephone: 585-394-1120		
		E-Mail: ecooper@townofcanandaigua.org		
Address: 5440 Route 5 & 20 West				
City/PO: Canandaigua		State: NY	Zip Code: 14424	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<b>NO</b>	<b>YES</b>
			<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<b>NO</b>	<b>YES</b>
			<input type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ acres		
b. Total acreage to be physically disturbed?		_____ acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres		
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?  b. Are public transportation service(s) available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?          If Yes, explain purpose and size: _____          _____          _____</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?          If Yes, describe: _____          _____          _____</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?          If Yes, describe: _____          _____          _____</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>Doug Finch, Town Manager</u> Date: <u>November 19, 2018</u></p> <p>Signature: _____</p>		

**State Environmental Quality Review  
LEAD AGENCY COORDINATION REQUEST**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8  
(State Environmental Quality Review Act) of the Environmental Conservation Law

**The Canandaigua Town Board seeks Lead Agency Status for the  
environmental review for the action described below:**

Project Number

Name of Action: Local Law Amending the Regulation of Accessory Buildings Outside the RLD

Location: 5440 Route 5 & 20 West Canandaigua, NY 14424

Description of the Action:

The purpose of this local law is to amend Town Code chapter 220-9 to amend existing regulations regarding the siting requirements and size requirements for accessory buildings outside of the RLD.

\_\_\_\_\_ This agency has no objection to the **Canandaigua Town Board** assuming Lead Agency Status for this action

\_\_\_\_\_ This Agency will seek Lead Agency Status

\_\_\_\_\_  
Print or Type Name of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer

Please return to:

Town of Canandaigua, Town Clerk  
5440 Route 5 & 20 West  
Canandaigua, NY 14424

If no response is received within 30 calendar days from the date of this authorization by the Canandaigua Town Board (November 19, 2018), the Canandaigua Town Board will assume Lead Agency in accordance to 6 NYCRR Part 617.

# ATTACHMENT 26

**Town of Canandaigua**  
**Rules of Procedure**  
**Adopted at January 8, 2018**  
**Town Board Organizational Meeting**  
*Revised September 17, 2018*  
*Revised November 19, 2018*

~~**Resolution #2018-008 Rules of Procedure**~~

~~**Moved By: Councilwoman Dworaczyk** **Seconded By: Councilman Fennelly**  
**5 Ayes: Davis, Dworaczyk, Fennelly, Reynolds Westbrook**~~

The Town Board of the Town of Canandaigua (herein after referred to as 'Town Board') hereby adopts the following Rules of Procedure. In the absence of the adoption of its own rules of order, these rules shall apply to all boards and committees of the Town of Canandaigua. The Rules of Procedure will be posted on the Town Clerk's legal bulletin board, in the Town Hall Meeting Rooms and on the Town of Canandaigua website.

CANANDAIGUA TOWN BOARD RULES OF PROCEDURE  
January 2018

1. The organizational meeting of the Canandaigua Town Board will be held during the month of January of each year, pursuant to the provisions of Town Law. The Town Board shall hold at least one (1) regular meeting each month of the calendar year, the date(s) and time(s) to be decided upon at the organizational meeting.
2. The Town Supervisor shall be the Chair of the Board. In the absence of the Supervisor, the Deputy Supervisor shall act as the Chair of the Board. In the absence of both the Town Supervisor and the Deputy Town Supervisor, the Town Board shall appoint a temporary Chair.
3. The majority of the Town Board (3 members) shall constitute a quorum.

COMMITTEES

4. The Town Board Supervisor may from time to time create Committees of the Town Board as deemed necessary to assist the Town Board in the transaction of its business. ~~The Supervisor shall appoint~~ One or more members of the Town Board to shall be appointed to serve by a majority vote of the Town Board on such Committee on an annual basis for a one year term.
5. The Town Board may from time to time also create and abolish advisory, Special Committees and/or Commissions. Any resolution creating an advisory Special Committee or Commission shall specify the powers and duties of the Special Committee or Commission.

MEETINGS

6. At each meeting the order of business shall be:
  1. Call to order and Pledge of Allegiance
  2. Roll Call
  3. Circulation of written communications and correspondence
  4. Privilege of the Floor
  5. ~~Presentations~~ Priority Business
  6. ~~Public Hearings~~ Presentations
  7. ~~Priority Business~~ Public Hearings

8. Reports of Town Officials and Department Heads
9. Reports of Committees, Boards and Commissions
10. Privilege of the Floor
11. Resolutions and Motions
12. Approval of the Minutes
13. Approval of Charge Back Billing
14. Payment of Bills
15. Other Business
16. Privilege of the Floor
17. Executive session as needed
18. Adjournment

7. The Chair shall preserve order and decorum at all meetings of the Board.
8. Every Board member, previous to his/her speaking shall address himself or herself to the Chair. When two or more members of the Board address the Chair at once, the Chairperson shall name the Board member who is to speak first. No Board member shall speak more than once on any question, until every Board member choosing to speak shall have spoken.
9. A Board member called to order shall immediately come to order, except that he/she will be permitted to explain. If an appeal shall be taken from a decision of the Chair, the Board shall decide the case by majority vote without debate.

#### PERMISSION FOR THE PUBLIC TO SPEAK BEFORE THE TOWN BOARD

10. Anyone from the public shall have the right to address the Board during the Privilege of the Floor portion of any Town Board meeting. Upon request a member of the audience may address the Town Board on a matter of public concern. The time allotted for addressing the Town Board shall be limited to three minutes unless the ~~Supervisor~~ Chair has granted prior approval for additional time.
  - Each speaker will have three minutes to speak. Time may not be transferred from one speaker to another or reserved for a later time in the same meeting.
  - Speakers must direct their comments to the Town Board.
  - The use of racial, ethnic, or homophobic slurs; lewd, obscene, threatening, abusive, or profane language will not be tolerated. Speakers who violate this rule, will have their time immediately revoked and will be asked to leave the meeting.
  - It is helpful, but not required, for speakers to provide their name and address.
  - Written materials may be provided to the Clerk and will be incorporated into the official record.

#### MOTIONS AND RESOLUTIONS

11. General deadline for preparation and submission of formal Resolutions to the ~~Town Clerk~~ Town Manager's Office for consideration and/or action by the Town Board is noon the Monday immediately preceding the Town Board meeting. The Town Board hereby acknowledges, in its sole discretion, may continue to consider and/or act upon any and all business that may properly come before the Town Board at any duly convened meeting of the Town Board by request of a waiver of the rule and the approval of a majority of the board.
12. No motion shall be stated, debated, or put, unless it is seconded. When a motion is seconded, the Chair, before debate, shall state it. Any motion shall be reduced to writing if the Chair or any Board member requires it.
13. After a motion is stated, it shall be before the Town Board, any such motion may be withdrawn by the Councilperson offering the motion at any time prior to decision or amendment.

14. If any question in debate contains several distinct propositions, any Board member may have the same divided.
15. When a question is under debate, no motion may be received, except a motion to amend the question, to put the question, to postpone it indefinitely, to adjourn it to a specific day, to lay it on the table, to commit it to a committee, or a motion to adjourn the Board.
16. Votes, when recorded: The name of the Board member offering a motion or resolution, and the name of the Board members seconding the motion or resolution shall be entered into the minutes. The ayes and nays and abstentions upon any question shall be taken and entered in the minutes. Any such motion must be made by a Board member, be duly seconded and then be approved by an affirmative vote of a majority of the board.
17. No standing rule of order shall be rescinded, suspended or changed, or any additional rule of order be adopted thereto, except by unanimous vote of the members present and voting at a regular or special meeting.
18. Every Resolution and Local Law, as amended before the Town Board, shall be laid over until the next regular session of the Board if so demanded by any member of the Town Board. In the event where a majority of the Town Board members believe the layover would create a negative situation pertaining to the matter of the Resolution or Local Law, then by a majority vote of the Town Board the Town Board may choose to deny the request for the Resolution or Local Law to be laid over. No further action may be taken on the Resolution or Local Law or its amendments, but limited discussion may occur at the discretion of the ~~Supervisor~~Chair. No member shall be required to tell his/her reason for the lay-over of the Resolution or Local Law. Any action on a laid-over Resolution or Local Law must take place at the next scheduled meeting. No Resolution or Local Law may be laid over a second time.
19. All questions of order not addressed specifically by these Rules of Procedure shall be decided by legal counsel for the Town based on the provisions of Robert's Rules of Order and applicable law.
20. A motion to adjourn, duly seconded, shall always be in order and shall be decided without debate by an affirmative vote of a majority of the Board.

## AGENDA

21. The Town Manager will set the agenda. The Town Clerk will post the agenda on the official bulletin board. The Town ~~Manager's Office Clerk or designee~~ will post the agenda and resolutions on the website by 2:00 p.m. the ~~Thursday~~Wednesday prior to a Town Board meeting.

## MEETING PACKET

23. The ~~Town Clerk and/or the Supervisor~~ Town Manager's Office will gather all information relevant to the Town Board meeting, including the agenda, and make it available to the members of the place it in the ~~Town Board folders~~ by 2:00 p.m. the Wednesday prior to a meeting. Also, on the Wednesday prior to a meeting the agenda and supporting documents will be e-mailed to Board members and posted on the Town's website.

# ATTACHMENT 27

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE TOWN OF CANANDAIGUA, THE COUNTY OF ONTARIO,  
AND THE ONTARIO COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
RELATED TO PERMITS AND INSPECTIONS AT THE CANANDAIGUA AIRPORT**

---

This Memorandum of Understanding is entered into this \_\_\_ day of \_\_\_\_\_, 201\_ by and between the Town of Canandaigua (“Town”), whose principal place of business is located at 5440 Routes 5 & 20; Canandaigua, NY 14424; the Ontario County Industrial Development Agency (“IDA”), whose principal place of business is located at 20 Ontario Street; Canandaigua, NY 14424; and the County of Ontario (“County”), whose principal place of business is located at 20 Ontario Street; Canandaigua, NY 14424.

WHEREAS, the Town, the IDA, and the County have discussed certain issues related to the Canandaigua Airport (“Airport”), which is located in the Town of Canandaigua, at 2450 Brickyard Road; Canandaigua, NY 14424, and which is owned and operated by the IDA.

WHEREAS, the parties desire to set forth their mutual understanding for the planning, zoning, and building inspection procedures related to the Airport.

NOW THEREFORE, in exchange for the mutual promises contained herein, the parties set forth the following terms, understandings, and agreements:

1. **Binding Effect.** This Memorandum of Understanding is intended to be binding on the parties.
2. **Mutual Understanding.**
  - a. Within sixty days of the date stated above, the IDA will present a preliminary overall site plan to the Town’s Planning Board for review and approval pursuant to the regulations contained in Canandaigua Town



Code Chapter 220. Said overall site plan shall show a potential trail easement along the outside of the fence. It is understood that such easement would be subject to approval by state and or federal authorities.

- b.** Any future construction or development at the Airport that would require site plan approval under Canandaigua Town Code Chapter 220 shall be submitted to the Town's Planning Board in accordance with the regulations contained in Town Code Chapter 220, regardless of building ownership or occupancy. Said site plan approval shall be required prior to the issuance of any building or other permits being issued.
- c.** Any future construction or development at the Airport that would require a Floodplain Development Permit pursuant to Canandaigua Town Code Chapter 115 shall require application for such permit to the Town pursuant to the regulations contained in Canandaigua Town Code Chapter 115.
- d.** Any future construction or development at the Airport that would require a Soil Erosion and Sedimentation Control Permit pursuant to Canandaigua Town Code Chapter 165 shall require application for such permit to the Town pursuant to the regulations contained in Canandaigua Town Code Chapter 165.
- e.** Any future construction or development at the Airport that would require compliance with the regulations contained in Canandaigua Town Code Chapter 170 shall require submission of a Storm Water Pollution Prevention Plan (SWPPP) and other required documents pursuant to the regulations contained in Canandaigua Town Code Chapter 170. The

Airport shall be operated in compliance with the Town's MS4 requirements and shall be subject to the Town's MS4 regulations.

- f. Any construction or development at the Airport of structures owned and occupied by the IDA shall require a building permit issued by the County prior to commencement of construction. The County shall conduct all building and fire inspections of such structures pursuant to the New York State Uniform Construction Code and the New York State Uniform Energy Code. The County agrees to establish a schedule for regular and routine building and fire inspections of such structures.
  - g. Any construction or development at the Airport of structures not occupied by the IDA shall require a building permit issued by the Town prior to commencement of Construction. The Town shall conduct all building and fire inspections of such structures pursuant to the New York State Uniform Construction Code and the New York State Uniform Energy Code.
  - h. The IDA will provide copies of all leases to the Town.
  - i. The IDA will name the Town as an additional insured on all insurance policies related to the Airport, and shall provide proof of such additional insured status within sixty (60) days of the date stated above, and at any reasonable future time as requested by the Town in writing.
3. **Term of Agreement.** Unless otherwise agreed by the parties, or unless terminated earlier pursuant to §5, this Memorandum of Understanding shall terminate ten (10) years from the date stated above.

4. **Confidentiality.** The parties agree that the agreements contained herein shall remain confidential until both parties agree that disclosure to the public is in the best interests of both parties. The parties shall consult with each other and must agree as to the timing, content, and form before disclosing any information related to this Memorandum of Understanding. However, either party may make a public disclosure related to this Memorandum of Understanding or the agreements contemplated herein if, in the opinion of its legal counsel, such disclosure is required by law.
5. **Termination.** Any party hereto may terminate this Memorandum of Understanding upon 360 days prior written notice to all other parties.
6. **Good Faith.** All parties agree to pursue this Memorandum of Understanding in good faith and to make their best efforts to cooperate in the processes described herein.
7. **Parties.**
  - a. Town of Canandaigua  
5440 Routes 5 & 20  
Canandaigua, NY 14424  
Attn: Doug Finch, Town Manager  
dfinch@townofcanandaigua.org
  - b. Ontario County Industrial Development Agency  
20 Ontario Street  
Canandaigua, NY 14424  
Attn: Robert Mincer  
Robert.Mincer@co.ontario.ny.us
  - c. County of Ontario  
20 Ontario Street  
Canandaigua, NY 14424  
Attn: Thomas Harvey  
Thomas.Harvey@co.ontario.ny.us

8. **Notices.** Any notices to be given under this Memorandum of Understanding shall be in writing, sent by first class mail, postage prepaid, and by email addressed to such party at the email addresses and mailing addresses stated in §7, above. Notices sent in accordance with this section shall be deemed effective on the date sent by email.

IN WITNESS WHEREOF, the parties hereby execute this Memorandum of Understanding.

TOWN OF CANANDAIGUA

COUNTY OF ONTARIO

\_\_\_\_\_  
Doug Finch, Town Manager  
Date: \_\_/\_\_/\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_/\_\_/\_\_

ONTARIO COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY

\_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_/\_\_/\_\_

# ATTACHMENT 28

November 5, 2018

Mrs. Jean Chrisman, Town Clerk  
Town of Canandaigua  
5440 Routes 5 & 20 West  
Canandaigua, New York 14424

**RE: LAKEWOOD MEADOWS SECTION 9B  
ROAD REPAIRS LOC ESTIMATE - REVIEW  
TAX MAP No: 112.00-1-32.111  
CPN No.: 051-16  
MRB PROJECT No.: 0300.12001.000 – PH 87**

Dear Mrs. Chrisman,

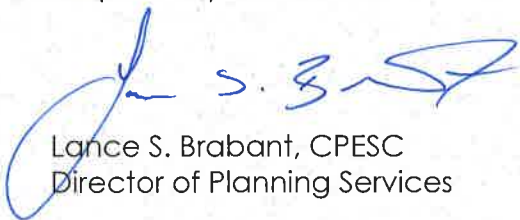
Please be advised that MRB Group has completed a review of the submitted Letter of Credit received from Five Star Bank for the Road Repairs for the approved amended plan titled "Job Drawing – Road Repairs" for the Final Subdivision Plans titled: Lakewood Meadows Subdivision, Section 9B, prepared by Marathon Engineering.

Based on our review letter attached dated November 1, 2018 and the Letter of Credit received from Five Star Bank (No. 7002066927), we recommend that a Letter of Credit be approved in the amount of **\$68,497.21**.

Please note that the original surety documentation regarding the establishment of the Letter of Credit is required to be submitted to the Town Clerk for processing. Once the original is received by the Town Clerk, all information will be forwarded to the Town Attorney for review prior to being placed onto the Town Board agenda.

Please feel free to contact our office with any comments and/or questions you may have in this regard.

Respectfully submitted,



Lance S. Brabant, CPESC  
Director of Planning Services

Enclosures:

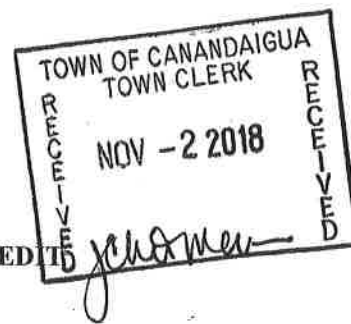
- Five Star Bank - LOC No. 7002066927
- MRB Review Letter dated November 1, 2018



- C Doug Finch, Town Manager
- Jim Fletcher, Highway and Water Superintendent
- Kristine Singer, Town Bookkeeper
- Chris Jensen, P.E., Code Enforcement Officer
- Eric Cooper, Town Planner
- Chris Nadler, Esq, Town Attorney
- Scott Morrell, S&J Morrell, Inc



**Five Star Bank**  
Banking | Investment | Insurance



**IRREVOCABLE STANDBY LETTER OF CREDIT**

**NO. 7002066927**

\*\*\*\*\*

**DATE: NOVEMBER 2, 2018**

**TO: TOWN OF CANANDAIGUA  
5440 ROUTE 5 & 20 WEST  
CANANDAIGUA, NY 14424**

**REGARDING: Lakewood Meadows Subdivision Section 9B  
St. James Parkway- Road Repairs Plan & Survey Estimate Review  
Tax Map No. 112.19-1-500.21, CPN NO. 051-16  
MRB Project No.: 0300.12001.000 Phase 087**

Ladies and Gentlemen:

For the account of **S & J Morrell, Inc.** ("Borrower"), we hereby authorize you to draw on us up to an aggregate amount of Sixty-Eight Thousand Four Hundred Ninety-Seven & 21/100 Dollars (\$68,497.21), which amount is available by payment against the following documents:

1. Your draft or drafts drawn on us and bearing the clause: "Drawn Under Five Star Bank Letter of Credit Number 7002066927".
2. The original of this Credit and all amendments, if any, for our endorsement. If your demand represents a partial drawing hereunder, we will endorse the original Letter of Credit and return same to you for possible future claims. If however, your demand represents a full drawing or if such drawing is presented on the day of the Expiration Date hereof, we will hold the original for our files and remove same from circulation.

Partial drawings are permitted under this Credit.

This Credit shall expire on November 1, 2019 (such date being the "Expiration Date"). This Credit shall terminate on the earlier of (a) 5:00 p.m. prevailing eastern time on the Expiration Date, or (b) the date on which we honor a draw which exhausts the entire stated amount.

It is a condition of this Credit that it shall be deemed automatically extended without amendment for one year from the Expiration Date, unless thirty (30) days prior to such Expiration Date, you are notified by registered or certified mail that we elect not to consider this Credit renewed for any such period. Upon receipt of such notice, you shall be entitled to draw on this Credit without condition until the stated Expiration Date.

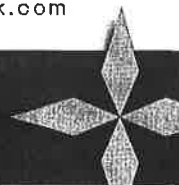
This Credit sets forth in full the terms of our undertaking. This undertaking shall not in any way be revoked, modified, amended, or amplified by reference to any document, instrument or contract referred

Five Star Bank Plaza, 100 Chestnut Street, Rochester, NY 14604 (877) 226-5578 [five-starbank.com](http://five-starbank.com)



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to herein or in which this Credit is referred to or to which this Credit relates and any such reference shall not be deemed to incorporate herein by reference any document or instrument.


We hereby agree with you that any draft or drafts drawn under and in compliance with the terms and conditions of this Credit shall be duly honored if presented at our counters at Five Star Bank, Attention: Todd W. Andrews, Vice President, 100 Chestnut Street, Rochester, New York 14604 together with document(s) as specified and the original of this Credit on or before the above stated Expiration Date. The proceeds of each such draft shall be paid directly to the applicable Contractor(s).

This Credit is irrevocable and unconditional. This Credit is not assignable or transferable.

This Credit shall be governed by and subject to the International Standby Practices 1998, International Chamber of Commerce Publication 590 (the "ISP") and to the extent not inconsistent with the ISP, the laws of the State of New York.

Very truly yours,

FIVE STAR BANK

By:   
Todd W. Andrews, Vice President

November 1, 2018

Mr. Doug Finch, Town Manager  
Town of Canandaigua  
5440 Routes 5 & 20 West  
Canandaigua, New York 14424

**RE: LAKEWOOD MEADOWS SUBDIVISION SECTION 9B  
ST. JAMES PARKWAY - ROAD REPAIRS PLAN & SURETY ESTIMATE REVIEW  
TAX MAP NO. 112.19-1-500.21  
CPN NO. 051-16  
MRB PROJECT No.: 0300.12001.000 PHASE 087**

Dear Mr. Finch,

MRB has completed a review of the submitted Job Drawing – Road Repairs Plan regarding the above referenced project, dated October 23, 2018, last revised November 1, 2018, and Surety Estimate, dated November 1, 2018, prepared by Marathon Engineering. We offer the following comments:

**Road Repairs Plan**

1. The Planning Board Chairperson signature line should be removed from the plan.
2. The overlay of type 3 binder from station SJ0+00 to SJ14+00 should be revised to be a Trueing & Leveling Course, 12.5mm Mix placed in accordance with NYSDOT 402-3.05.
3. The underdrain from station SJ4+00 to SJ14+00 should be set 1' inside the paved shoulder. A note should be added indicating that pavement replacement within the shoulder shall be 3" of Type 3 Binder.
4. The peastone weep detail should be revised to show the underdrain fully under the shoulder of the roadway. The underdrain pipe should be 4" and the geotextile should only be on the bottom and/or against undisturbed earth. Also, the underdrain trench detail should be revised to identify the perforated pipe as being 4" PSICPP.

**Surety Estimate**

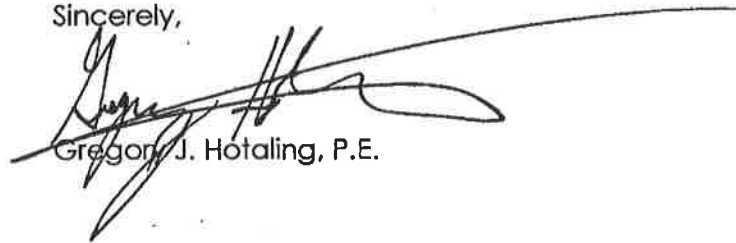
5. Item 1.1 should be revised to be a 1.5" Trueing & Leveling Course, 12.5mm Mix, a unit price of \$8.75 per square yard for a revised amount of \$35,385.00
6. An item for 3" of Type 3 Binder should be added to cover the shoulder pavement replacement required by installation of the underdrain. The unit price should be \$10.00 per square yard, and a quantity of 297 square yards for a cost of \$2,970.00

**MRB** | *group*

7. Item 1.3, underdrain, should identify the size and material of pipe required.
8. An item should be added to the estimate for milling of pavement in the lump sum amount of \$4,000.00
9. An item should be added to the estimate for sawcutting of the shoulder at a price of \$2.00 per liner foot, and a quantity of 2,006 LF for a cost of \$4,012.00
10. The summary of costs should be revised as follows:
  - Sub-total: \$60,617.00
  - 10% Contingency: \$6,061.70
  - Municipal Observation 3%: \$1,818.51
  - Total: \$68,497.21

If you have any questions, comments or concerns regarding any of the above comments please call me at our office.

Sincerely,



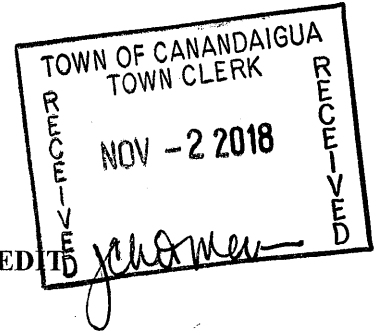
Gregory J. Hotaling, P.E.

- C Chris Jensen, P.E., Town Code Enforcement Officer  
Jim Fletcher, Town Highway & Water Superintendent  
Chris Nadler, Town Attorney  
Scott Morrell, Morrell Builders  
Richard Tiede, Marathon Engineering



**Five Star Bank**

Banking | Investment | Insurance



**IRREVOCABLE STANDBY LETTER OF CREDIT**

**NO. 7002066927**

\*\*\*\*\*

**DATE: NOVEMBER 2, 2018**

**TO: TOWN OF CANANDAIGUA  
5440 ROUTE 5 & 20 WEST  
CANANDAIGUA, NY 14424**

**REGARDING: Lakewood Meadows Subdivision Section 9B  
St. James Parkway- Road Repairs Plan & Survey Estimate Review  
Tax Map No. 112.19-1-500.21, CPN NO. 051-16  
MRB Project No.: 0300.12001.000 Phase 087**

Ladies and Gentlemen:

For the account of **S & J Morrell, Inc.** ("Borrower"), we hereby authorize you to draw on us up to an aggregate amount of Sixty-Eight Thousand Four Hundred Ninety-Seven & 21/100 Dollars (\$68,497.21), which amount is available by payment against the following documents:

1. Your draft or drafts drawn on us and bearing the clause: "Drawn Under Five Star Bank Letter of Credit Number 7002066927".
2. The original of this Credit and all amendments, if any, for our endorsement. If your demand represents a partial drawing hereunder, we will endorse the original Letter of Credit and return same to you for possible future claims. If however, your demand represents a full drawing or if such drawing is presented on the day of the Expiration Date hereof, we will hold the original for our files and remove same from circulation.

Partial drawings are permitted under this Credit.

This Credit shall expire on November 1, 2019 (such date being the "Expiration Date"). This Credit shall terminate on the earlier of (a) 5:00 p.m. prevailing eastern time on the Expiration Date, or (b) the date on which we honor a draw which exhausts the entire stated amount.

It is a condition of this Credit that it shall be deemed automatically extended without amendment for one year from the Expiration Date, unless thirty (30) days prior to such Expiration Date, you are notified by registered or certified mail that we elect not to consider this Credit renewed for any such period. Upon receipt of such notice, you shall be entitled to draw on this Credit without condition until the stated Expiration Date.

This Credit sets forth in full the terms of our undertaking. This undertaking shall not in any way be revoked, modified, amended, or amplified by reference to any document, instrument or contract referred

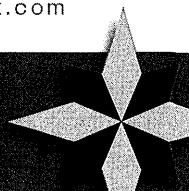
Five Star Bank Plaza, 100 Chestnut Street, Rochester, NY 14604 (877) 226-5578 five-starbank.com

Doc #02-596/2-11



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to herein or in which this Credit is referred to or to which this Credit relates and any such reference shall not be deemed to incorporate herein by reference any document or instrument.

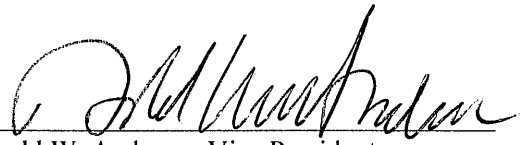
We hereby agree with you that any draft or drafts drawn under and in compliance with the terms and conditions of this Credit shall be duly honored if presented at our counters at Five Star Bank, Attention: Todd W. Andrews, Vice President, 100 Chestnut Street, Rochester, New York 14604 together with document(s) as specified and the original of this Credit on or before the above stated Expiration Date. The proceeds of each such draft shall be paid directly to the applicable Contractor(s).

This Credit is irrevocable and unconditional. This Credit is not assignable or transferable.

This Credit shall be governed by and subject to the International Standby Practices 1998, International Chamber of Commerce Publication 590 (the "ISP") and to the extent not inconsistent with the ISP, the laws of the State of New York.

Very truly yours,

FIVE STAR BANK

By:   
Todd W. Andrews, Vice President

November 1, 2018

Mr. Doug Finch, Town Manager  
Town of Canandaigua  
5440 Routes 5 & 20 West  
Canandaigua, New York 14424

**RE: LAKEWOOD MEADOWS SUBDIVISION SECTION 9B  
ST. JAMES PARKWAY - ROAD REPAIRS PLAN & SURETY ESTIMATE REVIEW  
TAX MAP NO. 112.19-1-500.21  
CPN No. 051-16  
MRB PROJECT No.: 0300.12001.000 PHASE 087**

Dear Mr. Finch,

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4. The peastone weep detail should be revised to show the underdrain fully under the shoulder of the roadway. The underdrain pipe should be 4" and the geotextile should only be on the bottom and/or against undisturbed earth. Also, the underdrain trench detail should be revised to identify the perforated pipe as being 4" PSICPP.

**Surety Estimate**

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8. An item should be added to the estimate for milling of pavement in the lump sum amount of \$4,000.00
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  - 10% Contingency: \$6,061.70
  - Municipal Observation 3%: \$1,818.51
  - Total: \$68,497.21

If you have any questions, comments or concerns regarding any of the above comments please call me at our office.

Sincerely,



Gregory J. Hotaling, P.E.

- C Chris Jensen, P.E., Town Code Enforcement Officer  
Jim Fletcher, Town Highway & Water Superintendent  
Chris Nadler, Town Attorney  
Scott Morrell, Morrell Builders  
Richard Tiede, Marathon Engineering

## Jean Chrisman

---

**From:** Town Manager [dfinch@townofcanandaigua.org]  
**Sent:** Thursday, November 01, 2018 5:05 PM  
**To:** 'Scott Morrell'; csowinski@mrbgroup.com; 'Jim Fletcher'; 'CHRIS NADLER'; 'Chris Jensen'  
**Cc:** 'Lance Brabant'; 'Hotaling, Greg'; 'Jeff Morrell'; 'Eric Cooper'; 'Michelle Rowlinson - Town of Canandaigua'; 'Jean Chrisman'; 'Terry Fennelly'  
**Subject:** FW: Lakewood Meadows Section 9B - St. James Parkway Roadwork Review  
**Attachments:** Lakewood Meadows Section 9B - St James Parkway Roadwork Review.pdf

Scott,

Please advise how us you wish to proceed. It sounds as though there are a number of items that need to be addressed with your proposed plans in addition to the surety being posted in the amount of \$68,497.21.

When can we expect the revised plans and the surety?

**Doug Finch, Town Manager**  
Town of Canandaigua  
5440 Route 5 & 20 West  
Canandaigua, NY 14424  
P: (585)394-1120 x2234  
F: (585)394-9476

---

**From:** Sowinski, Collin [mailto:CSowinski@mrbgroup.com]  
**Sent:** Thursday, November 01, 2018 4:36 PM  
**To:** dfinch@townofcanandaigua.org; scott.morrell@morrellbuilders.com; jfletcher@townofcanandaigua.org; cnadler@cnadlerlaw.com; cjensen@townofcanandaigua.org  
**Cc:** Brabant, Lance; Hotaling, Greg  
**Subject:** Lakewood Meadows Section 9B - St. James Parkway Roadwork Review

All,

MRB Group has completed a review of the St. James Parkway Roadwork plans for Lakewood Meadows Section 9B and associated surety estimate. Please find attached review letter.

**Collin Sowinski, EIT**  
Civil Engineer II

**MRB** | group  
The Culver Road Armory  
145 Culver Road, Suite 160  
Rochester, NY 14620  
(585) 381-9250 Phone  
(585) 381-1008 Fax

*The content of this email is the confidential property of MRB Group and should not be copied, modified, retransmitted, or used for any purpose except with MRB Group's written authorization. If you are not the intended recipient, please delete all copies and notify us immediately.*



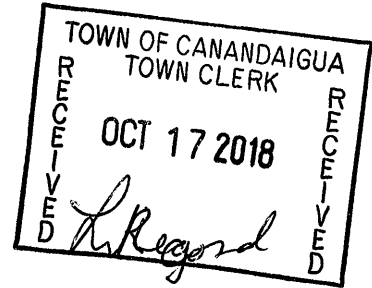
# ATTACHMENT 29

# Town of Canandaigua

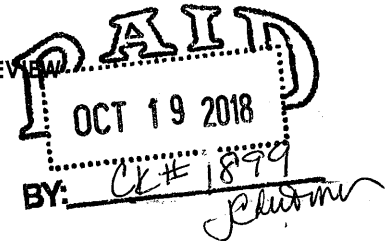
5440 Routes 5 & 20 West • Canandaigua, NY 14424 • (585) 394-1120

October 17, 2018

Doug Finch, Town Manager  
Town of Canandaigua  
5440 Routes 5 & 20 West  
Canandaigua, New York 14424



**RE: DAVID & KAREN VANDEREEMS – PARCEL OWNERS**  
**NEW SINGLE-FAMILY DWELLING – EROSION CONTROL SURETY ESTIMATE REVIEW**  
**TAX MAP No. 139.00-1-38.000**  
**CPN No. 2018-060**  
**ADDRESS: 6245 GOFF ROAD**



Dear Mr. Finch,

Please be advised that I have completed a review of the submitted Erosion Control Surety Estimate dated May 18, 2018, prepared by William J. Grove PE of Grove Engineering for the above referenced project.

Based on our review of the submitted estimate we recommend that an Erosion Control Surety be approved in the amount of **\$500 (Five-Hundred Dollars and No Cents)**. The breakdown of this amount is on the attached estimate.

Surety must be paid by cash or check to Town Clerk prior to issuance of building permits.

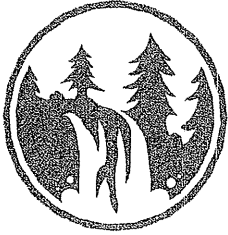
Any questions and/or comments you may have in this regard, please feel free to contact me at your earliest convenience.

Sincerely,

Christopher Jensen P.E.  
Town of Canandaigua – Code Enforcement Officer

C      Jean Chrisman, Town Clerk  
Project Binder  
Parcel Owners – 5031 Wyffels Road





# GROVE ENGINEERING

8677 STATE ROUTE 53  
NAPLES, NEW YORK 14512  
585-797-3989 PHONE  
585-531-4084 FAX  
grove.engineering@yahoo.com

May 18, 2018

Eric Cooper  
Zoning Officer  
Town of Canandaigua

Sent via Email

Re: Soil stabilization and erosion control cost estimate  
VanDerEems Cabin, 6245 Goff Rd, TM# 139.00-1-38.000

Dear Mr. Cooper,

As required by the Final Site Plan Requirements of the Town, here are the estimated costs for the installation and maintenance of the soil stabilization and erosion control on the above referenced project:

Silt Fence	125 LF@ \$3/LF	= \$375
Final seed/mulch all disturbed areas	Lump Sum	= <u>\$125</u>

Total: **\$500**

If you have any questions, feel free to contact me.

Sincerely,



William J. Grove, P.E.

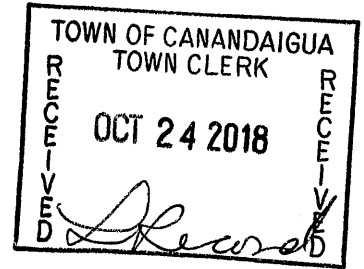
# ATTACHMENT 30

# Town of Canandaigua

5440 Routes 5 & 20 West • Canandaigua, NY 14424 • (585) 394-1120

October 23, 2018

Doug Finch, Town Manager  
Town of Canandaigua  
5440 Routes 5 & 20 West  
Canandaigua, New York 14424



**RE: STAR CIDER FOR SARAHFRANK, LLC**  
**EROSION CONTROL SURETY ESTIMATE REVIEW**  
**TAX MAP NO. 98.11-2-8.000**  
**CPN No. 18-042**  
**ADDRESS: 3365 STATE ROUTE 364**



Dear Mr. Finch,

Please be advised that I have completed a review of the submitted Erosion Control Surety Estimate dated October 22, 2018, prepared by Brennan Marks of Marks Engineering for the above referenced project.

Based on our review of the submitted estimate we recommend that an Erosion Control Surety be approved in the amount of **\$1,044 (One thousand forty four dollars)**. The breakdown of this amount is on the attached estimate.

Surety must be paid by cash or check to Town Clerk prior to issuance of building permits.

Any questions and/or comments you may have in this regard, please feel free to contact me at your earliest convenience.

Sincerely,

Dale Zukaitis  
Town of Canandaigua – Code Enforcement Officer

C Jean Chrisman, Town Clerk  
Project Binder  
SarahFrank, LLC -3365 State Route 364

APPROVED
Doug Finch – Town Manager
10/23/18
Date



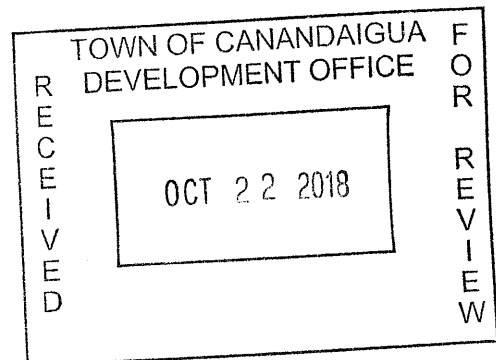
# MarksEngineering

42 BEEMAN ST  
CANANDAIGUA, NY 14424  
www.marksengineering.com  
Phone 585-329-6138  
Fax: 585-485-6205  
bmarks@marksengineering.com

3365 State Rte 364  
Canandaigua, NY 14424

## Erosion and Sediment Control Engineers Opinion of Probable Cost

	Quantity	Unit	Unit Cost	Sub Total
Silt Fence Material	750	ft	\$ 0.50	\$ 375.00
Temporary Seed 25#	4	Bag	\$ 25.00	\$ 100.00
Stablized Construction entrance	1	ea	\$ 200.00	\$ 200.00
Check Dams	5	ea	\$ 50.00	\$ 250.00
Straw Mulch Material	12	bale	\$ 2.00	\$ 24.00
Contingency	1	ea	\$ 95.00	\$ 95.00
			Total	\$ 1,044.00



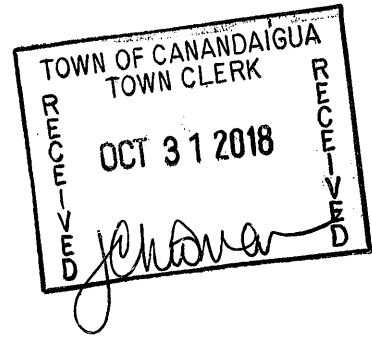
# ATTACHMENT 31

# Town of Canandaigua

5440 Routes 5 & 20 West • Canandaigua, NY 14424 • (585) 394-1120

October 31, 2018

Doug Finch, Town Manager  
Town of Canandaigua  
5440 Routes 5 & 20 West  
Canandaigua, New York 14424



**RE: PROPOSED NEW SINGLE FAMILY DWELLING – STEPHEN HAWRYSCHUK & CATHERINE TELEHANY  
EROSION CONTROL SURETY ESTIMATE REVIEW  
TAX MAP NO. 97.04-1-55.100  
CPN NO. 2018-059  
ADDRESS: 3614 MIDDLE CHESHIRE ROAD**

Dear Mr. Finch,

Please be advised that I have completed a review of the submitted Erosion Control Surety Estimate dated October 30, 2018, prepared by Michael Sponable PE of Greene Land Surveying PLLC, for the above referenced project.

Based on our review of the submitted estimate we recommend that an Erosion Control Surety be approved in the amount of **\$1,284 (One-Thousand Two-Hundred Eighty-Four dollars)**. The breakdown of this amount is on the attached estimate.

Surety must be paid by cash or check to Town Clerk prior to issuance of building permits.

Any questions and/or comments you may have in this regard, please feel free to contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Jensen".

Chris Jensen  
Town of Canandaigua – Code Enforcement Officer

C Jean Chrisman, Town Clerk  
Project Binder  
Parcel Owner

APPROVED
Handwritten signature of Doug Finch.
Doug Finch – Town Manager
Handwritten date "11/1/18".
Date



Units		<b>Greene Land Surveying, PLLC</b> <b>403 East Miller Street</b> <b>Newark   NY   14513</b>  <b>Stephen Hawrysauk &amp; Catherine Telehany</b> <b>3614 Middle Cheshire Road</b> <b>Town of Canandaigua</b>
LS	Lump Sum	
LF	Linear Feet	
EA	Each	
CY	Cubic Yards	

Erosion Control						
	Desc.	Quantity	Units	Unit Price	Total Cost	
1	Silt Fence	228	LF	\$3.00	\$684.00	
2	Check Dam/Flow Diffuser	26	EA	\$100.00	\$2,600.00	
3	Retention Pond	0	EA	\$1,000.00	\$0.00	
4	Seeds/Straw Mulch	30,000	SF	\$0.02	\$600.00	
5	Rain Garden	0	EA	\$500.00	\$0.00	
					<b>Total</b>	<b>\$1,284.00</b>

*Michael G. Sponable*  
 Michael G. Sponable P.E. License No. 081578

TOWN OF CANANDAIGUA  
 DEVELOPMENT OFFICE

OCT 30 2018

RECEIVED FOR REVIEW

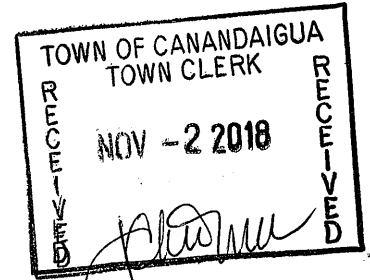
# ATTACHMENT 32

# Town of Canandaigua

5440 Routes 5 & 20 West • Canandaigua, NY 14424 • (585) 394-1120

November 2, 2018

Doug Finch, Town Manager  
Town of Canandaigua  
5440 Routes 5 & 20 West  
Canandaigua, New York 14424



**RE: TERRY M. SMITH – STORMWATER/DRAINAGE PIPE REPLACEMENT  
EROSION CONTROL SURETY ESTIMATE REVIEW  
TAX MAP NO. 98.15-1-18.200  
CPN No. 2018-070  
ADDRESS: 3455 SANDY COVE**

Dear Mr. Finch,

Please be advised that I have completed a review of the submitted Erosion Control Surety Estimate dated October 25, 2018, prepared by Terry M. Smith for the above referenced project.

Based on our review of the submitted estimate we recommend that an Erosion Control Surety be approved in the amount of **\$250 (Two-Hundred Fifty-Dollars and No Cents)**. The breakdown of this amount is on the attached estimate.

Surety must be paid by cash or check to Town Clerk prior to issuance of building permits.

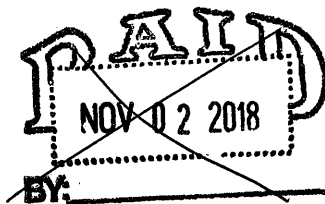
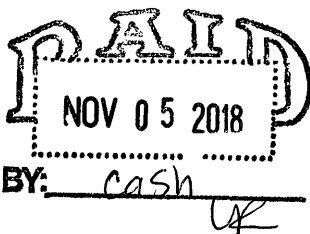
Any questions and/or comments you may have in this regard, please feel free to contact me at your earliest convenience.

Sincerely,

Chris Jensen  
Town of Canandaigua – Code Enforcement Officer

C Jean Chrisman, Town Clerk  
Project Binder  
Property Owner – Terry Smith

APPROVED
Doug Finch – Town Manager
11/5/18
Date



## Erosion Control Proposal

### Design

The erosion control will consist of poly material staked in place. It will have foam strips holding it up at lake level and chain at the bottom to hold the material to form a seal conforming to the lake bottom. This design is identical to that approved for use at the Caroscio property, 3457 Sandy Cove, Canandaigua.

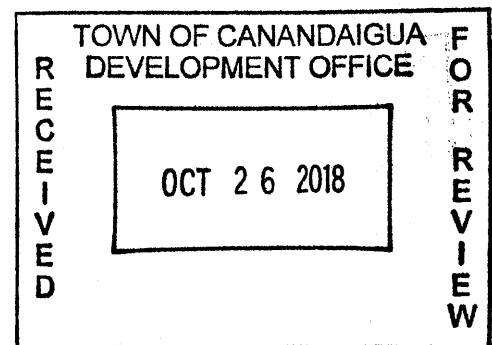
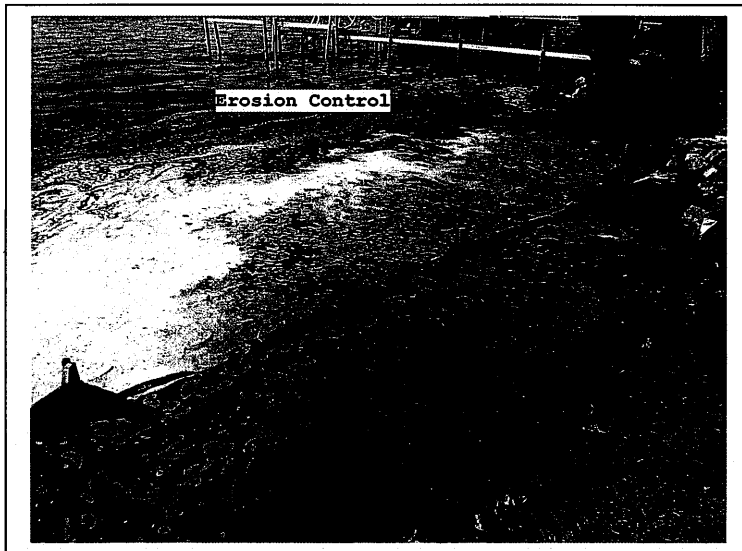
### Materials

BLACK POLY SHEETING 4ft high double thickness  
Foam Blocks for flotation  
2x4 upright supports  
Chain length as weight to conform material to Lake Bottom  
Bales of Straw  
Grass Seed

### Estimated Cost Including Labor, Materials and Maintenance

**Total Cost \$250**

### Picture



# ATTACHMENT 33

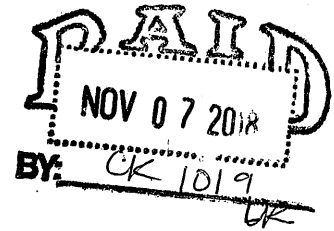
# Town of Canandaigua

5440 Routes 5 & 20 West • Canandaigua, NY 14424 • (585) 394-1120

November 7, 2018

Doug Finch, Town Manager  
Town of Canandaigua  
5440 Routes 5 & 20 West  
Canandaigua, New York 14424

**RE: ACQUILANO – PROPOSED SINGLE-FAMILY DWELLING  
EROSION CONTROL SURETY ESTIMATE REVIEW  
TAX MAP NO. 139.00-1-8.220  
CPN No. 2018-068  
ADDRESS: 5797 SMITH ROAD**



Dear Mr. Finch,

Please be advised that I have completed a review of the submitted Erosion Control Surety Estimate dated November 6, 2018, prepared by Anthony Venezia LS of Venezia and Associates for the above referenced project.

Based on our review of the submitted estimate we recommend that an Erosion Control Surety be approved in the amount of **\$1,400 (One-Thousand Four-Hundred Dollars and No Cents)**. The breakdown of this amount is on the attached estimate.

Surety must be paid by cash or check to Town Clerk prior to issuance of building permits.

Any questions and/or comments you may have in this regard, please feel free to contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Jensen".

Chris Jensen  
Town of Canandaigua – Code Enforcement Officer

C      Jean Chrisman, Town Clerk  
Project Binder  
Parcel Owner

APPROVED
Handwritten signature of Doug Finch.
Doug Finch – Town Manager
Handwritten date 11/7/18.
Date

**Surety Estimate – Sediment and Erosion Control at 5797 Smith Road**

**Construction of Single Family Residence**

Prepared by: Venezia and Associates

Prepared For: Acquilano Residence

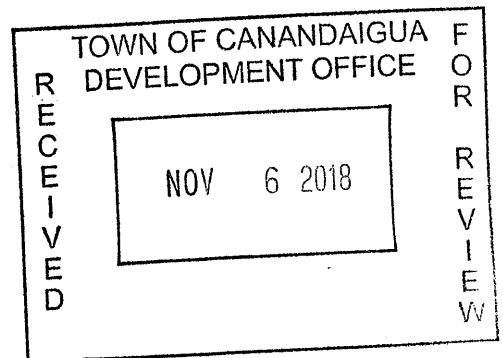
**Section A: Erosion Control**

Item Description	Estimated Quantity	Unit	Unit Price (\$)	Estimate
Silt Fence	300	LF	2.00	\$ 600.00
Seed /Straw Mulch	40,000	SF	0.02	\$ 800.00
<b>TOTAL SECTION A</b>				<b>\$1,400.00</b>

**By Venezia and Associates**

November 6, 2018

Anthony A. Venezia

# ATTACHMENT 34



**November 12, 2018**

**To: Town of Canandaigua Town Board**

**From: Eric Cooper/Oksana Fuller**

**Re: Economic Development Report - FaBa FARM VISIT, October 10, 2018**

---

## **BACKGROUND**

As the Town of Canandaigua seeks to implement the comprehensive plan, a large focus must be on Agriculture which is clearly identified in the vision statement, goals and in the Agricultural Enhancement Plan. In the concept mapping report developed earlier this year which will help direct the efforts of Economic Development within the Town and City, one of the largest directives was to protect the Agricultural character and heritage of the community.

The Economic Development Team recognized the importance of this topic and, in an effort to learn more about the industry, contacted the owners of FaBa Farms – a Dairy Farm on Cooley Road – to ask if they might be willing to give us a tour around the farm. They graciously accepted.

## **FaBa FARMS**

Please find attached a hand-out provided to the Committee that describes the farm's history and operations. At the end of the visit, gift baskets with dairy and cider products were provided to tour participants.

## **IMPORTANT NOTES FROM THE MEETING**

- Farming land that is interspersed with residential land or a high traffic road is difficult and dangerous. It is important to keep a large resource base, in this case quality agricultural land together. Traffic management should be a focus. As parcels are divided up, there are issues about access to farm parcels and spreading of manure.
- The labor used on FaBa Farms is local. Other farms are similar. Supporting farms supports local jobs in the community.
- In dairy, markets are tough. Currently there is too much milk being produced. Currently, it still is a money maker, however.
- To support agriculture, we need to see it as a business. If there are no profits in it, people will not farm. This is difficult as agriculture – in many instances – creates nearly uniform products. On a national or international market, there are little differences between milk or soy or wheat. The commodification of agriculture supports economies of scale.
- Owner was opposed to "large-lot" zoning.
- Owner states that although the Town has identified the Paddleford Brook Greenway as farmland of importance to protect, he claims the most valuable farmland is the area between Bliss Road north to County Road 30 and to the West.
- Owner is worried about the Miller Farm on County Road 32 and State Route 21. It represents a large portion of the most valuable farmland in the Town. Successional planning is important to protect these farms.
- Owner believes PDR should place a strong focus on protecting the most at risk properties.
- Owner stresses infrastructure restrictions. Once water and sewer become available development inevitably follows.

Thank you to John Knopf and Bob DiCarlo for a fascinating glimpse of FaBa Farms.

Respectfully submitted,  
Oksana Fuller, Chair Economic Development  
Eric Cooper, Planner

## Town of Canandaigua Economic Development Board Tour of Fa-Ba Farms, LLC

October 10, 2018

### ***Farm History***

My grandfather, Adrian Knopf brought his family to the "Cooley Farm" in 1931 or 1932. He had lost his employment in Buffalo during the Great Depression and came here to try his hand at agriculture as a vocation. My father, Bernard, was born here in 1933. At that time, the farm was owned by an absentee owner who happened to be related to my grandmother. Eventually my grandparents were able to buy the original 200 acre farm in the late 1940s for \$5000. My father graduated from Cornell in 1955 and returned to farm with his father. Bernard was the beginning of our "dairy farming in earnest" efforts when he built a stable for 50 cows in 1960 and entered the dairy business. That facility, the block gambrel roof barn which still stands today, was where I spent much of my young life and learned many of the husbandry skills necessary for successful cow care. In 1980, I returned to the farm after college at Michigan State University and worked with my father for the next 20 years, making me the 3<sup>rd</sup> generation of the Knopf family to choose agriculture as our life work. In 2004 we were fortunate to hire a lad from Victor, NY named Bob DiCarlo. Bob grew up in suburbia but had an interest in the dairy industry. After a Cornell education and some excellent internships on dairies in Ithaca and Michigan, Bob came to work at Fa-Ba and is currently leading the management of the dairy herd. In 2011 Bob became a junior partner in the business and is increasing his ownership stake incrementally each year as part of my succession plan. It has worked well for both of us and is a model we may repeat in the future.

Seeking growth and efficiencies needed to remain competitive, we entered a modernization and expansion period in 2000 that really continues to this day. Our investment and risk are significantly higher. We had to learn how to attract, train and retain excellent people; learn how to delegate, lead, organize and execute a strategy. We must understand our markets and adjust business tactics appropriately. It is important to continually improve our skills, adopt new technologies and always, always seek to lower our costs by experimenting with more efficient practices. It has been a satisfying and challenging journey. The work is long, but rewarding, and I can't imagine any other occupation that could have given me as much satisfaction and sense of accomplishment. I am not afraid to admit that we all take great pride in knowing that when someone comes over the hill on Cooley Road, they can drive by and look out on a professionally managed dairy farm. That is the culture we have established, and the reputation that all of us work to earn every day.

The current scope of operations includes 575 acres we own with an additional 300 acres of rented land. We care for 500 mature cows and another 390 youngstock and calves.

### ***The Process***

As farmers, we earn our living from the soil. In our case, we choose to monetize our soil resource through livestock, specifically through the production of milk and dairy products. We grow only three crops, all forages, for consumption by our dairy herd. Corn, to provide the cows with calories (energy), alfalfa for protein and fiber and winter triticale, a low energy feed for youngstock, and a helpful winter cover crop to prevent soil erosion. All these forage products are fermented in silage bags or bunk silos, tested for nutrients and fed in specific diets to the various herd groupings. This feed, along with about 20 gallons of water per cow/day, yields annual milk production of about 13MM pounds (1.5 million gallons) of milk. And yes, about 5MM gallons of manure, which is stored and recycled by prescription back into the soil as fertilizer for the next crop. Between crop rotation, manure nutrient application, cover crop incorporation and an extensive drainage tile network, we have a very fertile, healthy and productive soil asset.

### ***People Make it Work***

Systems are important, but people make it work. We employ 13 full and part-time staff. Including Bob and I, it takes 9.5 FTE (full time equivalents) positions to operate this farm annually. It is a great pleasure to see young people learn and develop their skills and bring their own unique perspectives to our business. Most have had little to no agriculture background. An effective approach has been to hire “values” and teach skills. I am happy to introduce them, and thankful for their contribution:

Ellen Biggs	Leslie Knopf	Mandy Schofield
John Braun	Jennifer May	Taylor Schroeder
Tim Burke	Dale Miller	Kassidy Swingle
Dan Freida	Kevin Moore	
Greg Guinan	Cyndi Peets	

### ***We are in a Commodity Business***

Simply put, we are price takers, with little opportunity to differentiate our product or price from other milk producers. We are affected by many pressures outside of our control: political, economic and from the consumers who buy our products. Our production cycle is long, and as it relates to the cows, biological. It is difficult to be nimble enough to rapidly adjust milk production to changing market dynamics, global milk supply disruptions or excess and changing consumer tastes. Our product is perishable and must “go to market” daily. Hence, we experience great volatility in the market price we receive for our milk and milk products, as well as the inputs we purchase to produce milk.

People often ask me why farms get so large? Some characterize our operations negatively as “factory farms”. This criticism is ignorant and unfair. Agriculture is very capital intensive, with the average dairy farm investment reaching \$10,000-\$15,000 per cow. Farms consolidate and grow to remain competitive and survive! It is simply the economics of a commodity production business. With little or no control over the price we receive for our product, we strive to be low cost producers within our industry. An effective strategy is to increase the volume of production over a fixed investment, diluting overhead costs in the process. Most who long for the days of the 30-cow dairy herd, would not be willing to endure the spartan lifestyle a 30-cow dairy can provide.

Consolidation is a constant force; past, present and future. In our Northeast Marketing Area there were 13,500 dairy farms selling milk in 2009. Today that number is just over 10,000. And yet, there is no shortage of milk. United States consumers enjoy a plentiful food supply, and one reason is the incredible productive capacity of the 1% of the population that call themselves farmers. Price is sometimes a harsh messenger, but like Adam Smith’s invisible hand, seems to keep the supply of food ample, and over time, directs the most valuable agriculture resources into the most capable management hands.

### ***Our Future is Not Guaranteed***

Our farm must not become complacent. While we may be the largest dairy in Canandaigua, we are small to medium in size within our industry. It is critical that we understand and leverage our competitive advantages: our staff and management acumen, fertile soils, a strong local and regional vendor network serving agriculture, expertise of our agriculture lenders and financial service providers, CCE and Cornell University. Maintaining a critical mass of agriculture production in our area is vital to support this network of service providers, without whom we could not operate competitively. The dairy industry is going through a difficult period of restructuring, overburdened by an excessive supply of skim milk products and handcuffed by foolish trade policies, we are in the fourth consecutive year of below trend line prices. These low prices are accelerating consolidation and the need for innovation. The pressure to remain viable is intense. Perhaps our most strategic and important relationship in these times is our vertical integration with our processor, Upstate Niagara Cooperative.

Based in western NY, Upstate-Niagara Coop is owned and partially capitalized by the dairy farmers who supply them with milk. Our farm has about \$600,000 invested in UNC. The cooperative buys all our milk supply, they are our only customer. With several plants in NY and one in PA, Upstate manufactures cultured dairy products like sour cream and yogurt, fresh mozzarella and ricotta cheese, ultra-filtered food ingredients, dried milk powders, protein concentrates and flavored milk. UNC bottles fresh beverage milk under their own brand label as well as for major retailers like Wegmans and Tops. The bulk of their business is private label production of dairy products for some of our nations most trusted brands. Upstate has been a critical partner in our success.

### ***Closing Thoughts***

Agriculture has been a rewarding career choice for me, and I believe in the future it holds. Commercially viable farms of the future must continue to grow, innovate and restructure to meet the needs of the marketplace and to support the capital investment required for abundant affordable food production.

These larger enterprises are critical to support the network of area service providers that agriculture relies on. That said, I also see opportunity for small or niche market ag producers. Particularly in an affluent area like Canandaigua, the "fresh", "local", "direct to consumer" trend is real and growing. These may be part-time farm operations and/or a secondary occupation, but they add value to our area agriculture landscape and quality of life.

Farmers agree on the need for a vibrant and growing local economy. We enjoy the conveniences and amenities of choice provided by our local "urban centers". But we also strive to be a part of any future landscape. You may view us only as open space, scenic vistas or rural atmosphere. We view ourselves, and want to be respected as, viable business entities that contribute to the fabric of our communities.

As economic developers and land use planners who proclaim a desire to safeguard a viable agriculture presence in our Town future, you have a tremendous responsibility to carefully weigh the consequences of your policy and regulatory decisions. I do not have all the answers, but a holistic approach is needed, to prevent unintended consequential headwinds that harm our viability. Preserve the environment for agriculture to prosper. We can do the rest.

I will close with the words of Noel Perrin, Duke University graduate, Professor of English at Dartmouth College, Vermont farmer and essayist on rural life until his passing in 1994.

***Some people make their bodies a lifetime work of art. It is too small a surface to be worthy of that much attention; and, anyway, for the last 30 or even 40 years of the owner's life, it is a work of art whose aesthetics steadily diminish.***

***Some make their houses a lifetime work of art. The house at least endures. But again, there is not enough scope. When it is all finished and remodeled, there is not much left but dusting and washing the windows.***

***A farm, on the other hand, can keep on changing and getting more beautiful for a thousand years. A farm is, in fact, an immortal work of art.***

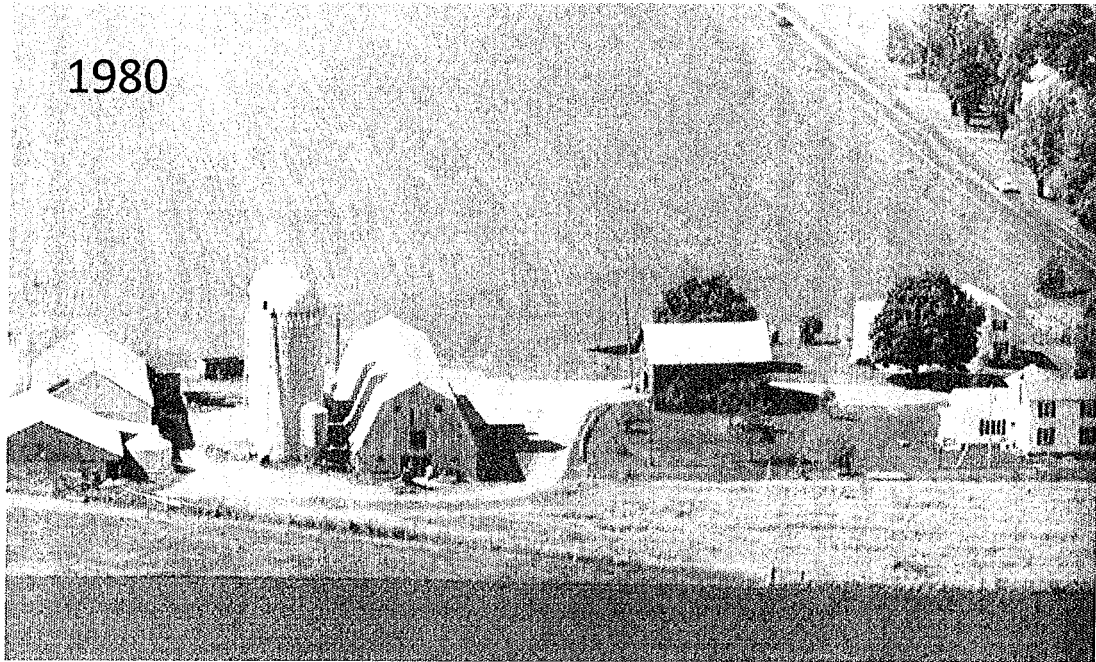
**Noel Perrin**

My grandfather came to understand this. My father understood this, and I understand this. Thank you for visiting. I hope you gained some perspective on the value of our agriculture resources.

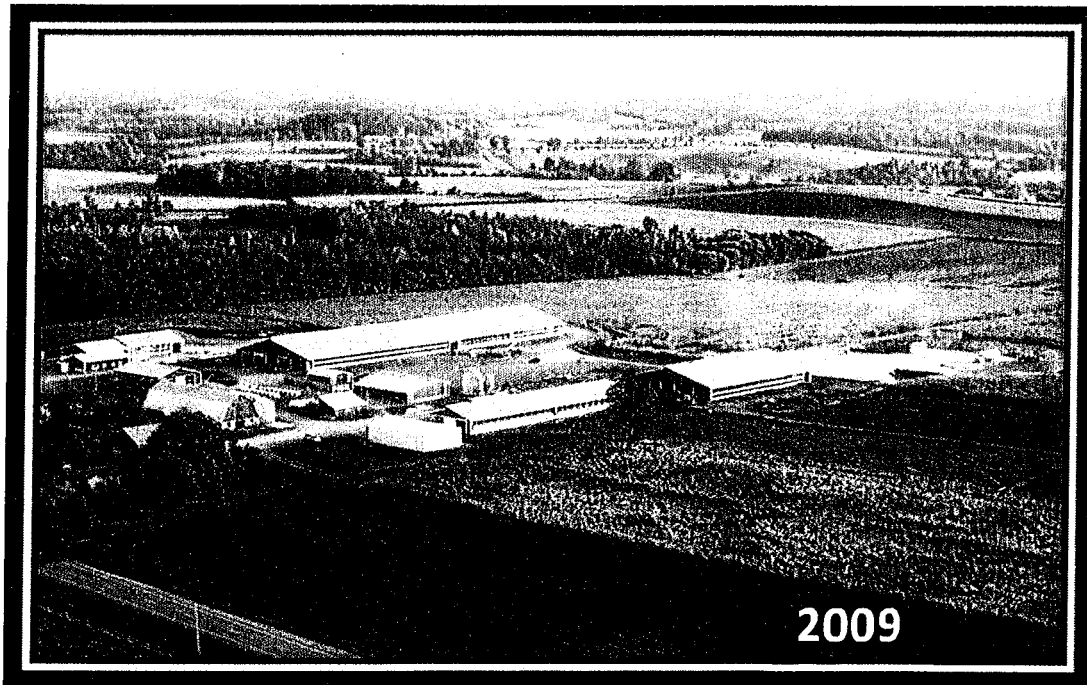
*rsdicarlo@yahoo.com*

*fabafarms@gmail.com*

# CHANGE IS INEVITABLE



# PROGRESS IS A CHOICE



# ATTACHMENT 35

November, 12, 2018

To: Town of Canandaigua Town Board  
Re: Town Events Committee Report  
From: Oksana Fuller, Chair Events Team

Friday, October 26, 2018 saw a flurry of activity...people setting up for the Halloween@Onanda Park event. Straw bales, pumpkins, scarecrows, balloons, food, drinks, decorations...all in anticipation of an exciting event on Saturday.

Saturday, October 27, 2018 began with a cold, dreary, rainy landscape at Onanda Park for the Halloween event. AND...the rain did not stop! Umbrellas and tents were the norm. But, that did not stop people from attending. Nor did it stop the participants from being gracious, welcoming and very generous with their time, treats and enthusiasm.

The decision to bring the refreshments inside Gorham Hall, where it was warm and inviting, was appreciated by everyone. Families sat and lingered...and warmed up with hot coffee and hot cider. Kids were enthralled with all the plastic creepy crawlers scattered on each table, by Grace Fletcher, for them to take home.

Crouch Hall was ablaze with a cozy fire where Mary Ferris captivated the kids with Halloween stories and Fred Goodnow and Priscilla Crawford provided musical entertainment.

The Events Team's excitement of having Bristol Mountain's Aerial Climbing Adventure Park was marred by the constant rain. But, there were quite a few hearty kids that did not let the rain stop them from donning harnesses and making the climb.

RTS buses transported people from the upland parking lot and the Cheshire Fire Hall. The drivers were very pleasant and cheerful, as were the Sherriff's deputies, directing traffic in the rain for three hours.

Students from Canandaigua Academy's National Honor Society were a very big help all around the park...from serving refreshments, helping Wood Library with crafts to donning a T-Rex costume to the delight of several toddlers. A very big thank you to: Olenka Duncan, Alex Turek, Emma Platten, Megan French, Laura Perrin and Anna Tanoory.

Despite the rain, everyone had a "spooktacular" time...even the little snowman made by Ulana Fuller from the GCCC Ice Rink, kept himself together throughout the rainy event.

Thank you to Canandaigua Kiwanis, Canandaigua Rotary, Cheshire Community Action Team, Cheshire Volunteer Fire Department, Bristol Mountain, Wood Library, Town Parks and Trails, Troy, Dennis, Jeff, Mark MacNeil, Dave Sauter, Kevin Reynolds, Bonnie Maguire and RTS Ontario, Town Departments and MRB, Charlie Miller, Ontario County Sheriff Department, GCCC Ice Rink, Wegmans, Joyce Marthaller, Joy Daggett, Nancy Goodnow, Stephanie Kunes, Sue and Pat Vitek, Vince Golbeck, George Herren, Rick Roxin, Doug Finch... a special thank you to Jim Fletcher who made sure every request from the Events Team was attended to and completed. If we have missed someone, please know that your help was appreciated.

Thank you to our extraordinary Events Team...who are the hardest workers and most committed to their team projects...Lois Golbeck, Linda Dworaczyk, Kim Fletcher, Dennis Brewer, and Ed Varno.

To all participants, organizations, town staff, town committees and volunteers...Thank You!  
Great things happen because of all of you.

Respectfully submitted,  
Oksana Fuller



# Halloween @ Onanda Park



## THANK YOU!

Your participation in the 2018 Halloween@Onanda Park helped make the event a success.

Despite the weather, everyone had a wonderful time!  
The organizations and volunteers exhibited kindness and generosity which was very much appreciated.

Town of Canandaigua and the Town's Events Committee.



Welcome to the Town of Canandaigua's

## Halloween@Onanda

Saturday, October 27, 2018 – 2-5 pm

### Trick or Treating at Participants' Cabins

#2 Little House – GCCC Ice Rink and Event Greeters

#3 Abode – Town Parks and Trails

#4 Crouch Hall – Storytelling by Mary Ferris

2:15, 2:45, 3:15, 3:45, 4:15

Music/Songs by Fred Goodnow & Priscilla Crawford

2:30, 3:00, 3:30, 4:00, 4:30

#5 Tilipe – Cheshire Volunteer Fire Department

#11 Wapoos – Canandaigua Kiwanis

#12 – Hayowentha – Canandaigua Rotary

#13 – Wequash – Town Departments & MRB Group

#14 – Haeho – Cheshire Community Action Team

#16/17 – Wacona Arts & Crafts – Wood Library

#21 Rotary Pavilion – Refreshments by Wegmans

Mobile Aerial Climbing Adventure – Bristol Mountain

Magic Bubbles – Kevin Reynolds

Shuttle Bus from Cheshire to Onanda – RTS Ontario

Straw Bales – Charlie Miller

Traffic Control – Ontario County Sheriff Dept.

Thank You to ALL our Participants & Sponsors!

Have a "Spooktacular" Time!!!



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