

**A. CONVOCAATION:**

1. The Canadice Organizational/Town Board Meeting was held on January 9, 2023 at 7:30 pm at the Canadice Town Hall in person and virtually.

2. Roll call showed the following-

- Present: Supervisor Christopher Vastola
- Councilman John O’Connor
- Councilman Mark Statt
- Councilman Terry Gronwall
- Councilwoman Kate Crowley

Others Present: Seven (7) guests/residents attended the Organizational and Regular Town Board Meeting.

3. Salute to the Flag.

4. Approval of December 12, 2022 Minutes-

Note: Minutes of the preceding meeting shall be approved without being read, unless the reading thereof is called for by a Member of this Board - the minutes are available for review at the Office of the Town Clerk.

Councilman Gronwall motioned, Councilman Statt seconded, and it was unanimously carried to approve the minutes of the December 12, 2022 Town Board Meeting:

APPROVED            Ayes 5                    Vastola, O’Connor, Statt, Gronwall, Crowley  
                              Nays 0

**B. ORGANIZATIONAL MEETING:**

1. Review Organizational Items

a. Time And Place For Regular Town Board Meetings:

Second Monday each month at 7:30 pm  
Canadice Town Hall, 5949 County Rd #37

b. Official Newspaper:

Daily Messenger, Canandaigua, NY

c. Official Bank:

Supervisor- Canandaigua National Bank  
Town Clerk/Tax Collector- Canandaigua National Bank  
Town Justices- Canandaigua National Bank

d. Alternate Person Authorized To Sign Town Checks:

Supervisor- Councilman John O’Connor  
Town Clerk/Tax Collector- Diane Horning  
Town Justices- None

e. Appointments By The Town Board:

Attorney for the Town- Sheila Chalifoux  
Alternate Attorney for the Town- TBD  
Registrar of Vital Statistics- Eileen Schaefer

- Health Officer- Mary Beers
- Dog Control Officer- Ontario County Humane Society
- Code Enforcement Officer- Joseph Miller
- Deputy Code Enforcement Officer- Rich Joki
- Records Management Officer- Eileen Schaefer
- Planning Board Chairperson- Theodore Mayhood
- Zoning Board of Appeals Chairperson- Linda Moorhouse
- Assessment Review Board Chairperson- Chosen by BAR each year
- Representative to County Planning Board- Stephen Groet
- Representative to Honeoye Lake Watershed Taskforce– Terry Gronwall

f. Appointments To Be Made By Town Officers:

1. By Supervisor:

- Deputy Supervisor- Councilman John O’Connor
- Historian- Margaret Bott
- Deputy Historian- David Bott
- Budget Officer- Christopher Vastola
- Bookkeeper to the Supervisor- Kristin Hoover

2. By Town Clerk/Tax Collector:

- Deputy Town Clerk/Tax Collector- Diane Horning
- Deputy Town Clerk/Tax Collector Tax Collector- Stephanie Seeley
- Deputy Records Management Officer- Vacant

3. By Highway Superintendent:

- Deputy Highway Superintendent- Joseph Canute

4. By Registrar of Vital Statistics:

- Deputy Registrar- Diane Horning

g. Petty Cash Funds:

- Town Clerk- \$100.00
- Chairman Planning Board- \$50.00
- Tax Collector- \$50.00
- Town Justices- \$200.00

h. Procedure For Paying Bills:

Upon approval of warrant by majority of the Town Board; except for payroll, utility bills, and monthly operating expenses to avoid assessment of late fees which may be paid as presented.

i. Mileage:

For Official Town Business- a motion was presented after a brief discussion by Councilman Statt, seconded by Supervisor Vastola to establish \$.65 cents per mile as the mileage rate for 2023.

APPROVED            Ayes 5            Vastola, O’Connor, Statt, Gronwall, Crowley  
                                 Nays 0

j. Salary Schedule- (As established by the adoption of the 2023 budget)

Four Councilpersons	\$2,942.00 each per year
	\$11,768.00 total
Two Justices	\$9,577.00 each per year
	\$19,154.00 total

Supervisor	\$14,739.00 annual
Highway Superintendent	\$68,290.00 annual
Deputy Highway Superintendent	\$4,100.00 annual
Machine Equipment Operator Heavy	\$28.82 per hour
Machine Equipment Operator Light	\$20.43 per hour
Laborer	\$15.00 per hour
Budget Officer	\$2,248.00 annual
Town Clerk/Tax Collector	\$35,480.00 annual
Registrar of Vital Statistics	\$430.00 annual
Deputy Town Clerk/Tax Collector	\$2,128.00 annual
Bookkeeper To The Supervisor	\$17.65 per hour
Appointed Assessor	\$23,346.00 annual
Assessor Clerk	\$17.65 per hour
Code Enforcement Officer	\$17,938.00 annual
Deputy CEO	\$18.10 per hour
Town Historian Personnel	\$1,025.00 annual total
Court Clerk	\$18.80 per hour
Planning Board Members	\$45.00 per meeting attended
Planning Board Chairperson	\$300.00 stipend in addition to above
Planning Board Secretary	\$90.00 per meeting attended
Zoning Appeals Board Members	\$45.00 per meeting attended
Zoning Appeals Board Chairperson	\$250.00 stipend in addition to above
Zoning Appeals Board Secretary	\$90.00 per meeting attended
Board of Assessment Review	\$15.00 per hour

**2. Resolution Number 1 of 2023** Approval Of Organizational Meeting Items

Councilman Gronwall motioned, Councilman Statt seconded, and it was unanimously carried to approve the resolution.

APPROVED            Ayes 5            Vastola, O’Connor, Statt, Gronwall, Crowley  
    Nays 0

WHEREAS, the Organizational Meeting of the Town of Canadice was held on January 9, 2023; and  
 WHEREAS, the annual items required for the conduct of Town business were presented to the Town Board for their consideration; now, therefore, be it

RESOLVED, that this Board does hereby approve of and adopts those items placed before it at said meeting, and, be it further

RESOLVED, that the Clerk of this Board enter all said items along with a copy of this resolution in the official minutes of this Board.

**3. Resolution Number 2 of 2023** – Adoption Of Rules Of Procedure And Order

Councilman Gronwall motioned, Councilman Statt seconded, and it was unanimously carried to approve the resolution.

APPROVED            Ayes 5            Vastola, O’Connor, Statt, Gronwall, Crowley  
    Nays 0

WHEREAS, Section 63 of the Town Law provides that the Town Board may determine the rules of its procedure; and

WHEREAS, this Board adopted Rules of Procedure and Order as defined in Chapter 14, Meetings and Public Hearings, of the Canadice Municipal Code with the adoption of said code September 9, 1996; and

WHEREAS, this Board annually reviews said policy; and

WHEREAS, this Board after due deliberation agrees the following additional rules are adopted by this resolution for the year 2023:

1. Every resolution or motion must be seconded before being put to vote by the Supervisor, and all resolutions or motions shall be recorded in their entirety in the official minutes of the Town Board.
2. The Supervisor may offer or second a resolution or a motion and need not relinquish the chair for such purpose.
3. No motion or resolution may be brought to a vote except by the majority consent of those present, unless typewritten copies are presented to each member of the Board 48 hours prior to the opening of the meeting at which such motion or resolution is offered.
4. No motion shall be made to offer any amendment to an amendment already before the Board on any proposition.
5. No member of the public shall engage in any demonstration, booing, hand clapping or otherwise disrupt the formality of a Town Board Meeting.
6. Any person speaking to the Town Board, with the consent of the Supervisor, shall address their remarks to the Town Board, not to other members of the audience in the form of a debate.
7. A majority vote of all members of the Board shall be required to suspend these rules of order. A majority of the Board shall constitute a quorum.
8. If the above stated rules are or become at any time in conflict with the statutory law, the statutory law shall take precedence.

now, therefore, be it

RESOLVED that the preceding Rules of Procedure and Order be and are hereby adopted for the year 2023 pursuant to Section 63 of the Town Law; and, be it further

RESOLVED, that the Clerk of this Board send certified copies of this resolution to the Secretary of each Appointed Board, the Highway Superintendent and retain a copy for the official records.

4. **Resolution TABLED** – Review Of the Town of Canadice Procurement Policy And Procedures.

5. **Resolution Number 3 of 2023** – Request To Be Included In Ontario County Highway Bids For 2023 Councilman Gronwall motioned, Councilman Statt seconded, and it was unanimously carried to approve the resolution.

APPROVED	Ayes 5	Vastola, O’Connor, Statt, Gronwall, Crowley
	Nays 0	

WHEREAS, it is required by New York State Department of Audit and Control that documentation be on file to substantiate the fact that the Town of Canadice will be purchasing commodities within the bidding statutes of New York State; now, therefore, be it



**8. Resolution Number 6 of 2023 – Authorization For Use Of Facsimile Signature**

Councilman Gronwall motioned, Councilman Statt seconded, and it was unanimously carried to approve the resolution.

APPROVED           Ayes 5           Vastola, O’Connor, Statt, Gronwall, Crowley  
                          Nays 0

WHEREAS, there is considerable volume of vouchers and checks that require the Supervisor’s signature; and

WHEREAS, this Board reviews all the vouchers prior to approving payment and affix their signature to a summary of the payment abstract of the vouchers; and

WHEREAS, the Town Clerk reviews the vouchers with the printed check stubs to ensure vendors and amounts match those reviewed and signed off on by the Board; now, therefore, be it

RESOLVED, that this Board authorizes the Supervisor to use a facsimile signature stamp on vouchers and checks; and, be it further

RESOLVED, that all contracts, agreements and legal documents will be personally signed by the supervisor or digitally signed through a secure program and no facsimile signature stamp will be affixed to any such documents; and, be it further

RESOLVED, that the Clerk of this Board send certified copies of this resolution to the Supervisor Christopher Vastola, the Bookkeeper Krista Hoover and retain a copy in the Town’s records.

**C. PRIVILEGE OF THE FLOOR:**

1. FYI – for those that are attending this meeting remotely, the camera is not working properly for the zoom session, just the sound.

**D. COMMUNICATIONS:**

Note: Communications are filed with the Town Clerk. Discussion on any item may be called for by any Member of this Board.

**E. REPORTS:**

1. Town Clerk/Tax Collector- Eileen Schaefer.

a. The financial report for the Town Clerk for the month of December 2022 was submitted (see T. C. file). A check for the remaining funds left in the Tax Collectors Accounts of \$56.93 was written to the Supervisor. The Annual financial report was also submitted for the Town Clerk for 2022 which is a compilation of all of the monthly financial reports provided during the year.

Councilman Statt motioned, Councilwoman Crowley seconded, and it was unanimously carried to accept the Town Clerk/Tax Collectors reports.

APPROVED           Ayes 5           Vastola, O’Connor, Statt, Gronwall, Crowley  
                          Nays 0

2. Historian- Margaret Bott.

a. Margaret and David Bott agreed to continue in the Historians office.

3. Code Enforcement Officer- Joseph Miller.

- a. The written report for the month of December 2022 was submitted (see T. C. file). 2022 Year-End reports were also submitted. CEO Miller answered a few questions for the Board.
4. Planning Board- Theodore Mayhood.
  - a. Draft minutes were submitted to the Town Board (see T. C. file).
  - b. There were no questions for Planning Board Chairman Mayhood.
5. Zoning Board of Appeals- Linda Moorhouse.
  - a. The ZBA has not met yet, so there is no report.
6. Highway Superintendent- Jeremy Frain
  - a. The written report for the month of December 2022 was submitted (see T. C. file).
  - b. We had a freezing rain event on the 15<sup>th</sup>. The winter storm on the 23<sup>rd</sup> brought in 50-60 mph winds with lake effect snow and rapidly dropping temperatures. Several trees that fell in the road or right of way were cut and removed.
  - c. Made 17 full fleet plow/salt runs since the December meeting and four with a truck for spot plowing/salting drifted areas.
  - d. Hauled 70 tons of Ice Control Sand.
  - e. We have a new interactive plow blade system that adjusts to the contour of the road surface. If the blade works for our needs, we would purchase for the entire fleet with possibly some grant assistance from Ontario County Soil and Water.
7. Honeoye Lake Watershed Research Taskforce- Councilman Gronwall.
  - a. The written report for the month of December 2022 was submitted (see T. C. file).
  - b. Honeoye Lake was ice covered Christmas weekend and ice-free January 4<sup>th</sup>.
  - c. FLCC Muller Field Station is hosting “Walk of the Wild Side” January 19 at 5:00 pm.
8. Assessor- Lisa M. Bennett
  - a. The written report for the month of December 2022 was submitted (see T. C. file).
  - b. Assessor Bennett indicated the reassessment project is the main focus for her and Assessor Clerk Swingle. Informal hearings will be held in March and April.
  - c. Information was provided regarding an Exemption for Volunteer Firefighters for the Board to consider. Some discussion took place regarding the exemption.
  - d. Governor Hochul passed legislation to send second notices 30 days prior to the filing deadline of March 1st to Senior’s informing them of the exemption
9. Water District Operations –
  - a. The written report for the month of December 2022 was submitted (see T. C. file).
  - b. Councilwoman Crowley indicated everything looks in order on their report.
10. Supervisor- Christopher Vastola.
  - a. The financial report for the month of December will be submitted in February when the books are closed for 2022. Supervisor Vastola provided the Board with a brief listing of the accounts.

**F. UNFINISHED BUSINESS:**

- 1. HVAC 98% complete, waiting on some adjustments for the thermostats. The Historians now have a heat run in their office.
- 2. Recreational Vehicles – Councilwoman Crowley questioned the status of the proposed wording change to the Canadice Code for Recreational Vehicles. A final version appeared to have been agreed upon last April. The subject will have to be researched.

**G. NEW BUSINESS:**

**1. Resolution Number 7 of 2023 – Authorization To Execute The Highway Superintendent Software Support Contract With Williamson Law Book Company**

Supervisor Vastola motioned, Councilman Statt seconded and it was unanimously carried to adopt the following resolution.

APPROVED           Ayes 5           Vastola, O’Connor, Statt, Gronwall, Crowley  
                              Nays 0

WHEREAS, this Board purchased the Highway Superintendent Software Program from Williamson Law Book Company in 2007; and

WHEREAS, the software support is an annual renewable contract at a rate of \$636.00 for 2023, an increase of \$83; and

WHEREAS, the Budget Officer recommends that the contract be purchased; now, therefore, be it RESOLVED, that this Board authorizes the Supervisor to execute said contract and remit the contract fee to Williamson Law Book Company; and, be it further

RESOLVED, that the Clerk of this Board send a certified copy of this resolution with executed contract to Williamson Law Book Company and retain a copy of same in the Town files.

**2. Resolution Number 8 of 2023 – Authorization To Execute Payroll Software Support Contract With Williamson Law Book Company**

Supervisor Vastola motioned, Councilman Statt seconded and it was unanimously carried to adopt the following resolution.

APPROVED           Ayes 5           Vastola, O’Connor, Statt, Gronwall, Crowley  
                              Nays 0

WHEREAS, this Board purchased the Payroll Software Program from Williamson Law Book Company in 2012; and

WHEREAS, the software support is an annual renewable contract at a rate of \$1160.00 for 2023, an increase of \$151; and

WHEREAS, the Budget Officer recommends that the contract be purchased; now, therefore, be it RESOLVED, that this Board authorizes the Supervisor to execute said contract and remit the contract fee to Williamson Law Book Company; and, be it further

RESOLVED, that the Clerk of this Board send a certified copy of this resolution with the executed contract to Williamson Law Book Company and retain a copy of same in the Town files.

**3. Resolution Number 9 of 2023 – Authorization To Execute An Agreement With Ontario County For Dog**



Control Services

Councilman Gronwall motioned, Councilwoman Crowley seconded and it was unanimously carried to adopt the following resolution.

APPROVED           Ayes 5           Vastola, O’Connor, Statt, Gronwall, Crowley  
  Nays 0

WHEREAS, it has been determined by this Board that it is in the best interest of the Town to contract with Ontario County for dog control services; and

WHEREAS, this Board agrees to the terms set forth in the contract provided by Ontario County for the year 2023; and

RESOLVED, that this approves the execution of said agreement by the Town Clerk and Supervisor; and, be it further

RESOLVED, that the Town Clerk and the Supervisor have a copy of said contract and will print a fully executed copy from the County’s Contract Management Program for retention in the Town records upon notification that the County Administrator has executed on behalf of the County.

**4. Resolution Number 10 of 2023 – Resolution Of Sympathy – Mr. Leland Durkee**

Councilman O’Connor motioned, Councilwoman Crowley seconded and it was unanimously carried to adopt the following resolution.

APPROVED           Ayes 5           Vastola, O’Connor, Statt, Gronwall, Crowley  
  Nays 0

WHEREAS, this Board was deeply saddened to learn of the passing of Mr. Durkee; and

WHEREAS, Mr. Durkee served on the Canadice Planning Board for two years before resigning when he became a Town Board Member for his first tenure beginning in January 1972 for two terms as a Town Board Member that ended in 1979 leaving to focus on his family and business; and

WHEREAS, Mr. Durkee was again elected to the Town Board in 1998 and served though 2013; and

WHEREAS, during his tenure Mr. Durkee demonstrated integrity and dedication to both the Town and its citizens and exhibited those unique attributes and qualities which exemplify the characteristics expected of individuals serving in public service; and

WHEREAS, Mr. Durkee was been a wealth of information and valuable resource regarding Canadice history helping the Town Board make educated and effective decisions on behalf of the citizens of Canadice; now, therefore, be it

WHEREAS, the Town of Canadice wishes to pay its respects to the memory of this fine citizen, Rest in Peace, Leland; now, therefore, be it

RESOLVED, that the Town Board of the Town of Canadice extends its sympathy to the family of Mr. Leland Durkee; and, be it further

RESOLVED, that this Resolution be entered as part of the permanent records of the proceedings of the Town and be retained in its book of minutes forever; and, be it further

RESOLVED, that the Clerk of this Board send a certified copy of this resolution to his family.

**5. Resolution Number 11 of 2023 – Setting Date, Place And Time For A Public Hearing To Entertain Comments Pertaining To The Adoption Of Local Law Number 1 (Intro) Of 2023 Entitled: A Local Law Amending Chapter 110, Taxation, Article Vi, First Responder Exemption, Of The Town Of Canadice Town Code**

Councilman Gronwall motioned, Councilman Statt seconded and it was unanimously carried to adopt the following resolution.

APPROVED           Ayes 5           Vastola, O’Connor, Statt, Gronwall, Crowley  
                          Nays 0

WHEREAS, there has been presented and introduced at a meeting of this Board held on January 9, 2023, a proposed local law entitled: A Local Law Amending Chapter 110, Taxation, Article VI, First Responder Exemption, of the Town of Canadice Town Code; now, therefore, be it

RESOLVED, that this Board shall hold a Public Hearing on the 13th day of February 2023 at 7:30 pm for the purpose of entertaining comments pertaining to the adoption of Local Law Number 1 (intro) of 2023 entitled: A Local Law Amending Chapter 110, Taxation, Article VI, First Responder Exemption, of the Town of Canadice Town Code; and, be it further

RESOLVED, that the Clerk of this Board publish a notice of said Public Hearing in the official newspaper of the Town at least five (5) days prior thereto.

**6. Resolution Number 12 of 2023 – Appreciation To Stephen Smith, Retired Canadice Code Enforcement Officer**

Councilwoman Crowley motioned, Councilman Statt seconded and it was unanimously carried to adopt the following resolution.

APPROVED           Ayes 5           Vastola, O’Connor, Statt, Gronwall, Crowley  
                          Nays 0

WHEREAS, Mr. Stephen Smith, Canadice Code Enforcement Officer term ended, December 31, 2022; and WHEREAS, Mr. Stephen Smith was first appointed in December 2015 as Deputy CEO; and

WHEREAS, Mr. Stephen Smith was appointed CEO in January 2017; and

WHEREAS, Stephen was dedicated to the residents, the Board and fellow employees; and

WHEREAS, Stephen has been an integral part of the purchase of a Town Truck for Town business, including the CEO and Assessors Offices; and

WHEREAS, during his tenure Mr. Stephen Smith demonstrated integrity and dedication to both the Town and its citizens and exhibited those unique attributes and qualities which exemplify the characteristics expected of individuals serving in public service; now, therefore, be it

RESOLVED, that the Board on behalf of the citizens of the Town of Canadice, expresses its appreciation to Mr. Stephen Smith for his service and dedication to the Town; and, be it further

RESOLVED, that the Board offers their best wishes to Stephen as he enters the new chapter in his life, ‘real retirement’ and hope he enjoys his free time golfing and with his wife Nanette for many years to come; and, be it further

RESOLVED, that the Clerk of the Board send a certified copy of the resolution to Mr. Stephen Smith.

**7. 2023 Meeting and Payroll schedules distributed.**

**8. Approval of the Bills –**

Councilwoman Crowley motioned, Councilman Gronwall seconded, and it was unanimously carried that the bills are to be paid in the following amounts:

ABSTRACT #13 for 2022-

Voucher

General/Highway	#557 to #603	\$ 29,247.94
Trust & Agency	#20 to #21	\$ 444.36

ABSTRACT #1 for 2023-

	Voucher	
General/Highway	#1 to #22	\$195,292.31
Trust & Agency	#1	\$ 5,694.61
APPROVED	Ayes 5	Vastola, O'Connor, Statt, Gronwall, Crowley
	Nays 0	

**H. PRIVILEGE OF THE FLOOR:**

1. Councilwoman Crowley has started a disaster recovery list of electronic applications each department is using. The compilation has started with the Town Clerk’s office and will continue with each department as time allows.

**I. EXECUTIVE SESSION: To Discuss Pending Litigation And A Personnel Situation.**

Councilman O’Connor motioned, Councilman Gronwall seconded, and it was unanimously carried to adjourn the meeting and go into executive session to discuss ongoing pending litigation and a personnel situation at 8:16 pm.

APPROVED	Ayes 5	Vastola, O’Connor, Statt, Gronwall, Crowley
	Nays 0	

1. During the executive session discussion for the personnel situation;

Councilwoman Crowley motioned, Supervisor Vastola seconded, and it was unanimously carried to hire Lisa Bennett back as our Assessor after her official retirement. She will work through the end of May 2023 for \$5,000 and Assessor Clerk Holly Swingle will be increased to \$25 per hour as of the next payroll.

Supervisor Vastola motioned, Councilman Gronwall seconded, and it was unanimously carried to adjourn the executive session for the personnel situation at 8:36 pm.

Councilwoman Crowley motioned, Councilman Statt seconded, and it was unanimously carried to adjourn the executive session with no action taken on the pending litigation executive session and resume the regular meeting at 8:50 pm.

APPROVED	Ayes 5	Vastola, O’Connor, Statt, Gronwall, Crowley
	Nays 0	

**J. ADJOURNMENT:**

Councilman O’Connor motioned, Councilman Gronwall seconded, and it was unanimously carried to adjourn the meeting at 8:52 pm.

APPROVED	Ayes 5	Vastola, O’Connor, Statt, Gronwall, Crowley
	Nays 0	

Respectfully submitted, \_\_\_\_\_ Eileen Schaefer, Town Clerk