

**A. CONVOCAATION:**

1. The Canadice Town Board Meeting was held on May 11, 2015 at 7:30 pm at the Canadice Town Hall.

2. Roll call showed the following-

- Present: Supervisor Kristine Singer
- Councilman John O’Connor
- Councilman Mark Statt
- Councilman Mark Malmendier
- Absent: Councilman William Hershey

Others Present: Five (5) guests/residents attended the Regular Town Board Meeting.

3. Salute to the Flag.

4. Approval of April 13, 2015 Regular Meeting 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 O’Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to approve the minutes of the April 13, 2015 Regular Town Board Meeting-

APPROVED Ayes 4 Singer, O’Connor, Statt, Malmendier  
Nays 0

With the following corrections:

Pg 2, Item 6, c, Option 1: \$92,125.00.

Pg 3, Item 9, a, reworded as follows: Canadice Water District #1 Update – Supervisor Singer indicated a special meeting was held to pass a resolution the Comptroller requested.

**B. PRIVILEGE OF THE FLOOR:** There was no one to be heard.

**C. COMMUNICATIONS:**

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

\*Supervisor Singer commented on the letter received from USDA Rural Development announcing the loan of \$4,250,000 and grant of \$750,000 have been approved to provide water service and the "Request for Obligation of Funds" has been signed locking in the interest rate at 2 1/8 or 2.125.

\*We received a letter from the NYS Department of Transportation indicating our speed limit reduction request for a portion of Canadice Lake Road is approved. Once it is filed with the State we can post new speed limit signs of 45mph.

\*Distribution of sales tax is down; however we have always budgeted conservatively in our budget for the use of sales tax received.

**D. REPORTS:**

1. Town Clerk/Tax Collector- Mrs. Eileen Schaefer.

a. The financial report for the Town Clerk/Tax Collector for the month of April was submitted (see T. C. file).

Councilman Statt motioned, Councilman Malmendier seconded, and it was unanimously carried to accept the Town Clerk/Tax Collector’s report.

APPROVED            Ayes 4            Singer, O'Connor, Statt, Malmendier  
                              Nays 0

2. Historian- Mrs. Margaret Bott.
  - a. No report.
3. Code Enforcement Officer- Mr. Robert Best.
  - a. The written report for the month of April was submitted (see T. C. file).
4. Planning Board- Mr. Theodore Mayhood.
  - a. Draft minutes were submitted to the Town Board (see T. C. file).
  - b. There will be one subdivision application processed at the May meeting.
5. Zoning Board of Appeals- Mrs. Linda Moorhouse.
  - a. No meeting held in April.
6. Highway Superintendent- Mr. Mike Virgil
  - a. The written report for the month of April was submitted (see T. C. file).
  - b. Finally no measurable snow to report.
  - c. Questions were raised regarding Canadice Hill Road by a property owner building a house.
  - d. As soon as it's available we will be using Richmond's grader.
  - e. The Volvo still has issues.
  - f. Replacing culverts on Canadice Lake Road.
7. Honeoye Lake Watershed Research Taskforce- Councilman Hershey.
  - a. Mr. Gronwall provided an update for the Taskforce in Councilman Hershey's absence.
  - b. Terry and Dorothy Gronwall collected the first water quality data for the season. The water clarity came in at 5.5 meters or 18 feet. In 13 years of data, only one other year had a higher clarity reading of 5.8.
  - c. Tuesday May 5<sup>th</sup> a project conference call was held with DEC to discuss ideas for the Total Maximum Daily Load watershed implementation plan.
  - d. The Inlet Restoration Project – a detailed design is being developed and securing required permits.
  - e. NYS DEC WQIP Grant Project- Ontario County Soil & Water is waiting to receive the contract in order to perform the work required for the project.
8. Assessor- Mrs. Lisa M. Bennett
  - a. The written report for the month of April was submitted (see T. C. file).
9. Special Reports
  - a. Canadice Water District #1 Update – Once the Comptroller's office gives the project final approval, the engineers can submit the design, then bond resolutions will be processed and the easements can be secured. Councilman Malmendier has contacted National Fuel again with some charts and statistics regarding possible users along the water district project area.
10. Supervisor- Ms. Kristine Singer.
  - a. The financial report for the month of April was submitted (see T.C. file).

Councilman Statt motioned, Councilman O'Connor seconded, and it was carried to accept the Supervisor's reports.

APPROVED            Ayes 3            O'Connor, Statt, Malmendier

Abstained 1 Singer  
Nays 0

b. Budget Transfer:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
DA5148.1	D5142.1	\$ 5,450.83	Expenditures greater than budgeted amount.

Councilman O’Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to approve the budget transfer.

APPROVED                   Ayes 4                   Singer, O’Connor, Statt, Malmendier  
Nays 0

**E. UNFINISHED BUSINESS:**

**1. Resolution Number 23 of 2015** – Resolution and Order Regarding the Formation of the West Lake Road/County Road 36 Water District (a/k/a “Water District #1”) and applying for permission of the New York State Comptroller to Establish Said District

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

APPROVED                   Ayes 4                   Singer, O’Connor, Statt, Malmendier  
Nays 0

**WHEREAS**, The Town Board of the Town of Canadice (“Town Board”) upon its own motion without a petition, pursuant to Article 12-A of the New York State Town Law, having moved to create and establish the West Lake Road/County Road 36, (a/k/a “Water District #1”), which would include certain real property located wholly in the Town of Canadice, County of Ontario and State of New York; and

**WHEREAS**, The Town Board is governing this project, and the attached application for approval was prepared at the direction of the governing board; and

**WHEREAS**, The Town Board believes the contents of the application to be accurate; and

**WHEREAS**, The Town Board has determined that the water district for which permission is sought is in the public interest and will not contribute an undue burden on the properties which will bear the cost thereof; and

**WHEREAS**, All real property that will be assessed against to bear the cost of the proposed district will be benefited by the proposed improvements, and that no benefited property has been excluded from the water district; now, therefore be it

**RESOLVED**, That the Town Board hereby directs that the application seeking permission of the New York State Comptroller to establish the water district be submitted for review and approval.

The question of the adoption of the foregoing Resolution and Order was duly submitted for approval by vote of the Canadice Town Board on Monday, May 11, 2015, and recorded as follows:

**Vote of the Board: Councilman John O’Connor - Aye; Councilman William Hershey - Absent; Councilman Mark Statt - Aye; Councilman Mark Malmendier - Aye; Supervisor Kristine Singer – Aye.**

**2. Resolution Number 24 of 2015** – Loan Resolution; Canadice Water District #1

Councilman Malmendier motioned, Councilman O’Connor seconded, and it was unanimously carried to approve the resolution.

APPROVED                   Ayes 4                   Singer, O’Connor, Statt, Malmendier  
Nays 0

*Position 5*

**RUS BULLETIN 1780-27**

APPROVED  
OMB. No. 0572-0121

**LOAN RESOLUTION**  
(Public Bodies)

A RESOLUTION OF THE Town Board

OF THE Town of Canadice

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS water

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Town of Canadice

*(Public Body)*

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of **Four Million Two Hundred Fifty Thousand & 00/100**

pursuant to the provisions of Subject to NYS Local Finance ; and

**WHEREAS**, the Association intends to obtain assistance from the United States Department of Agriculture,

(herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

**NOW THEREFORE**, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legally permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.*

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to



are to be paid in the following amounts:

ABSTRACT #5 for 2015-

	Voucher#	
General & Highway:	#153 to #192	\$107,401.69
Trust & Agency	#6	\$ 576.95

\*Some discussion took place regarding the Zee Medical bill for first aid supplies and the repairs on the Volvo.

APPROVED            Ayes 4            Singer, O’Connor, Statt, Malmendier  
                             Nays 0

**G. PRIVILEGE OF THE FLOOR:**

1. Councilman O’Connor provided the Memorial Day schedule for services on Monday May 25<sup>th</sup>: 9:00 am in Bristol, 9:30 am in Hemlock, 10:30 am in Canadice and 11:00 am for the parade in Richmond followed by services at the gazebo in front of the town hall. Supervisor Singer indicated the guest speaker at the services in Richmond is a representative from the Honor Flight Program.
2. Mr. Mayhood asked what the status is on the printing of the Comprehensive Plan. Supervisor Singer indicated Ontario County Planning is updating the maps and then it can be printed.
3. Councilman Malmendier and Mr. Mayhood questioned the status of the “Welcome to Canadice” new signs. Supervisor Singer will send an email to Steve Engard for a simple design that would include the website.

**H. ADJOURNMENT:**

Councilman O’Connor motioned, Councilman Statt seconded, and it was unanimously carried to adjourn the meeting at 9:06 pm.

APPROVED            Ayes 4            Singer, O’Connor, Statt, Malmendier  
                             Nays 0

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