

A. CONVOCAATION:

1. The Canadice Town Board Meeting was held on July 13, 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 William Hershey
- Councilman Mark Statt
- Councilman Mark Malmendier

Others Present: Ten (10) guests/residents attended the Regular Town Board Meeting.

3. Salute to the Flag.

4. Approval of June 8, 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, Hershey seconded, and it was unanimously carried to approve the minutes of the June 8, 2015 Regular Town Board Meeting-

APPROVED Ayes 5 Singer, O’Connor, Hershey, Statt, Malmendier
 Nays 0

B. PUBLIC HEARING: To Entertain Comments Pertaining to the Adoption of Local Law No 1 (intro) of 2015 Entitled: A Local Law Pursuant to Chapter 97-2011 of the Laws of the State of New York and Section 3-C of the General Municipal Law Overriding Tax Levy Limit for Fiscal Year 2016

*Mrs. Dawn Snowden asked if the Board is ignoring the legislation.

*Supervisor Singer indicated the local law is just a safeguard against any changes in interpreting the tax levy legislation that could impact the Town. Canadice has been consistently under the tax levy limit.

Councilman Malmendier motioned, Councilman Hershey seconded, and it was unanimously carried to close the public hearing.

APPROVED Ayes 5 Singer, O’Connor, Hershey, Statt, Malmendier
 Nays 0

C. PRIVILEGE OF THE FLOOR:

*Mr. Tim McAuliffe from Francis Shores spoke on behalf of the Francis Shores Homeowners Association which includes about twenty five homeowners. Mr. McAuliffe provided pictures and information relating to costs that have impacted their area due to the recent storm damage. They normally handle damage or issues that arise, but the recent storm has made that difficult. After reaching out to Ontario County Soil and Water, some of the suggestions will be implemented, however some are beyond the cost feasibility their association can bear. Rich Funke’s office was also contacted. In the event that any funds may work their way down to the property owner’s level the association wanted to make sure Canadice had as much information available as possible.

*Supervisor Singer indicated there will be a meeting between Rich Funke’s office, DEC, the two Town Supervisors (Canadice & Richmond), Ontario County Soil & Water and representatives from Ontario County Emergency Management to discuss the situation.

*Mrs. Dawn Snowden of Purcell Hill Rd has had flooding issues since a pond was put in on a neighbor’s property which the town must have issued a permit for. There was debris with the water that damaged her property. The property has been flooded five times in ten to twelve years, making the house and property worthless. If that pond bursts it will take out her home. By law, flooding has to be reported when selling a home. Mrs. Snowden feels her home has lost a great deal of value.

*Supervisor Singer indicated there is no pond permit that is issued in Canadice.

*Councilman Hershey indicated the pond slows the water down. The watershed has not changed; it’s the storms that have intensified that are creating more water. After a site visit he had provided some suggestions that might help their situation and they have not been implemented.

*Mrs. Snowden indicated they are senior citizens and would like to know who will pay for those changes.

*Superintendent Virgil has plans to possibly put some kind of an east/west overflow pipe on the other side of the road, but has to make sure it won’t make things worse further down. They check culverts all the time to try and keep them clear. When the rains come down that fast, a culvert that has just been cleaned out will clog back up fairly quickly with debris.

*Supervisor Singer reiterated the storm situation in recent years has been worse and properties all over town have been impacted. The Town Board and Highway Department are trying to come up with some solutions that will lessen the severity in the future, but it will take time.

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- Mrs. Eileen Schaefer.

a. The financial report for the Town Clerk for the month of June 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 5 Singer, O’Connor, Hershey, Statt, Malmendier
 Nays 0

2. Historian- Mrs. Margaret Bott.

a. A Daily Messenger article that Mrs. Bott wrote about Canadice was copied to the Board. A second article was just published yesterday.

b. The suggestions they researched for a possible name for Townline Road were submitted also.

3. Code Enforcement Officer- Mr. Robert Best.

a. The written report for the month of June was submitted (see T. C. file).

b. **Resolution Number 30 of 2015 – Unsafe Structure Findings**

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

APPROVED Ayes 5 Singer, O’Connor, Hershey, Statt, Malmendier
 Nays 0

WHEREAS, The Code Enforcement Officer has made numerous inspections, and filed a report, which included photographs, pursuant to Section 304 of the Property Maintenance Code of NYS and Chapter 58-1 with respect to property located at 7039 Ross Road, Springwater, NY, and being further identified as tax map number 187-2-22.100; and

WHEREAS, The Code Enforcement Officer has provided credible information that the mobile home and porch upon the premise is in fact in violation of said code and as the result of continued neglect, the Code Enforcement Office has deemed the structure unsafe pursuant to Chapter 58-1 of the Canadice Town Code; and

WHEREAS, The Code Enforcement Officer has made repeated attempts to contact the property owner; and WHEREAS, The property owner indicated the structure would be repaired or demolished in response to the notification of the violation; and

WHEREAS, As of this date no action has been taken to resolve the pending violations; and

WHEREAS, The Code Enforcement Officer has notified the Town Board that the structures have not been repaired or removed as directed; and

WHEREAS, The Town Board has had due consideration hereon;

NOW, THEREFORE, BE IT

RESOLVED That the Town Board finds such structures as identified by the Code Enforcement Officer at 7039 Ross Road, Springwater, NY, as defined by Section 304 of the Property Maintenance Code of NYS and Chapter 58-1 of the Canadice Town Code; and, it is further

RESOLVED, That the property owner is ordered to repair or remove the structure in accordance with the report of the Code Enforcement Officer that is attached hereto and made a part of this resolution by reference; and, it is further

RESOLVED, That hearing shall be held on the 10th day of August 2015 before the Town Board of the Town of Canadice, with at least five (5) days notice to the owner of the property and any others having an interest therein, to affirm, modify or vacate this order, and to assess all costs and expenses incurred by the Town for the removal of such structure, and to assess such costs and expenses against the land on which this debris is situated; and, be it further

RESOLVED, That the property owner is ordered to complete the aforementioned and identified removal within thirty (30) days of service of the Notice, and, it is further

RESOLVED, That the Town, or its duly appointed agent may enter and make the necessary demolition in the event that the owner fails to complete said removal within thirty (30) days, and, it is further

RESOLVED, That a copy of this resolution be sent to the Code Enforcement Officer, Town Attorney, and property owner.

c. Correspondence with Turtle Rock – Supervisor Singer copied everyone in on an email from Cathy Crane regarding Turtle Rock. Councilman Malmendier questioned if Ms. Crane wants CEO Best to work with her attorney now? Supervisor Singer indicated it might include the CEO, the email implies any information needed by the Board should be requested through her attorney. Planning Board Chairman Mayhood added that Ms. Crane did call him and was not going to submit a site plan to the Planning Board.

4. Planning Board- Mr. Theodore Mayhood.

a. Draft minutes were submitted to the Town Board (see T. C. file).

b. Mr. Mayhood commented on the Poore subdivision application; no one came to the meeting the night the subdivision was scheduled. Mr. Mayhood tried unsuccessfully to reach Mr. Poore, so nothing further has happened with the application.

c. Councilman Malmendier questioned the maps for the Comprehensive Plan. Supervisor Singer has not received a revised file back yet with the changes she wants incorporated.

d. Councilman Malmendier asked about the local law definitions. Supervisor Singer met with the attorney and the printout will be provided to Mr. Mayhood and the ZBA Chair also.

5. Zoning Board of Appeals- Mrs. Linda Moorhouse.

a. Draft minutes were submitted to the Town Board (see T. C. file).

6. Highway Superintendent- Mr. Mike Virgil

a. The written report for the month of June was submitted (see T. C. file).

b. Superintendent Virgil has found three separate dead zones for cell coverage in Canadice; Lawrence Hill Road, Coykendall Hill Road and Canadice Hollow Road. He was on Lawrence Hill when speaking with Mrs. Snowden, lost cell coverage and she thought he had hung up on her. Superintendent Virgil was at their property on the night of the June storm and the whole front yard was awash. Some discussion took place regarding some changes that might help. The neighbor's pond has not been breached. Councilman Hershey looked at the area when Bruce Longbine was Highway Superintendent and had recommended some changes the Snowden's could make that might help.

c. The June storm was worse than last year. We have shoulder problems, pipes washed out, ditches filled, and portions of roads washed out. Mutual aid assistance was received from the Springwater and East Bloomfield Highway Departments on Canadice Lake Road.

d. Changed 16 culvert pipes to date on Canadice Lake Road, Holmes Road, Hayward Hill Road and Purcell Hill Road.

e. The Volvo needs repair again.

f. Councilman O'Connor and Councilman Statt met with Superintendent Virgil regarding the Highway Department building. There are some maintenance items that would be beneficial, but the building still has a lot of life left in it. Extra work space for equipment maintenance and cold storage for equipment are items that would be a bonus.

g. Councilman Malmendier questioned the new speed limit signs for Canadice Lake Road. Superintendent Virgil indicated there hasn't been time to install them yet.

7. Honeoye Lake Watershed Research Taskforce- Councilman Hershey.

a. No significant signs of Blue-green Algae.

b. Weed harvesting has started on Honeoye Lake. Terry and Dorothy Gronwall created maps that show where the weed beds are dense.

c. The DEC public meeting for preliminary TMDL analysis will be late in August. Mr. Gronwall indicated the Total Maximum Daily Load equates to another set of eyes looking at our nutrient problem in the lake. It also is important for funding in the future.

d. Honeoye Lake Inlet Restoration Project WQIP grant goes out the 24th. Last year's grant money was received and they can begin constructing those projects.

e. Yard Waste Disposal Project - There will probably be a meeting before the scheduled dates this

fall.

8. Assessor- Mrs. Lisa M. Bennett

a. The written report for the month of June was submitted (see T. C. file).

9. Special Reports

a. Water District Update -

1. **Resolution Number 31 of 2015** – Final Order Establishing Water District

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

APPROVED Ayes 5 Singer, O’Connor, Hershey, Statt, Malmendier
 Nays 0

State of New York
County of Ontario

In the Matter of the Establishment of a
Water District in the Town of
Canadice, Ontario County, New York,
to be known as Water District #1

FINAL
ORDER
ESTABLISHING
WATER DISTRICT

WHEREAS, the Canadice Town Board (herein called “Town Board” and “Town”, respectively), in the County of Ontario, New York, on its own motion without a petition, pursuant to Article 12-A of the Town Law, for the establishment of Water District #1 (the “District”), and

WHEREAS, the Town Board, acting on behalf of Water District #1 having directed that the Town Engineer, LaBella Associates, prepare a map, plan and report with respect to the District, the map, plan and report have been filed in the office of the Canadice Town Clerk; and

WHEREAS, the real property that will be included in the district is more particularly described in the map, plan and report filed in the Canadice Town Clerk’s Office, and it is the intent of the Town of Canadice to form Water District #1 to include all of the real property indicated in the map plan and report filed herein, said real property located in the Town of Canadice, County of Ontario, and State of New York; and

WHEREAS, the Town of Canadice Town Board thereafter directed that the charges incurred for the preliminary map, plan and report shall be a Town charge until such time as the district formation shall take place at which time they shall become a district charge; and

WHEREAS, the Board having previously complied with the relevant provisions of SEQR; and

WHEREAS, a public hearing having been held on the 9th of June, 2014, at 7:30 P.M. at the Canadice Town Hall, with respect to the formation of Water District #1 to include the property noted in the map, plan and report filed in the Canadice Town Clerk’s Office and as more particularly described in the map, plan and report on file the Canadice Town Clerk’s Office, in the Town of Canadice, County of Ontario, and State of New York; and

WHEREAS, the Board having given due consideration to the testimony and evidence given thereat; and

WHEREAS, said proposed improvements consist of a project to provide a safe and reliable potable water

supply; and

WHEREAS, the overall project will generally consist of the installation of approximately 33,400 linear feet of eight inch water main along portions of County Road 36 a/k/a West Lake Road and Old West Lake Road, a 160,000-gallon water storage reservoir, as well as other such improvements as more fully identified in such map, plan and report prepared in connection therewith, together with all related right-of-way costs, site work and other ancillary work, including hydrants, valves, apparatus, and other improvements and costs incidental thereto and in connection with the financing thereof (referred to herein as the “Water Improvements”); and

WHEREAS, the estimated maximum amount proposed to be expended for the construction of the District is \$5,000,000; and

WHEREAS, pursuant to the Order duly adopted on May 27, 2014, the Town Board determined to proceed with the proposed establishment of the District and adopted an Order reciting a description of the boundaries of the District, the Water Improvements proposed, the maximum amount proposed to be expended for the construction of the Water Improvements in connection with the establishment of the District, the proposed method of financing to be employed, the fact that a map, plan and report describing the same is on file in the Town Clerk’s office and is available for public inspection and specifying June 9, 2014, at 7:30 p.m. o’clock p.m. as the time when the Town Board would meet to consider the proposed establishment of the District and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by law; and

WHEREAS, following publication and posting of certified copies of said Order pursuant to Article 12-A of the Town Law and after a public hearing duly held by the Town Board at the time and place herein referred to, the Town Board, by resolution duly adopted June 9, 2014 determined that the notice of public hearing was published and posted as required by law and was otherwise sufficient, that all the property and property owners included within the District were benefited thereby, that all the property and property owners benefited were included within the limits of the proposed District, that it was in the public interest to establish the District and approved the establishment of the District and the construction of the Water Improvements in connection with the District as hereinabove described at an estimated maximum cost of \$5,000,000; and

WHEREAS, the Board’s approval of the resolution to establish and form the District was subject to permissive referendum, and no petition seeking a referendum was received by the Town Clerk; and

WHEREAS, the plan of financing is for the issuance of serial bonds in an aggregate amount not to exceed \$5,000,000, said amount to be offset by the receipt of any federal, state, county and/or local funds including, but not limited to, a USDA Rural Development Agency grant of approximately \$750,000 and unless paid from other sources or charges, the costs for the establishment of the District will be by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine to be especially benefited by said District, so much upon and from each as shall be in just proportion to the amount of benefit which the District shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable; and

WHEREAS, permission of the State Comptroller was required with respect to the establishment of the District and the Town submitted an application to the Office of the State Comptroller, Department of Audit and Control; and

WHEREAS, the Office of the State Comptroller, Department of Audit and Control reviewed said application and on June 11, 2015, the State Comptroller issued an order that such application of the Town Board of the Town of Canadice for permission to establish the District was approved and permitted the

establishment of said District in accordance with the description referred to in a resolution of May 27, 2014 at an estimated maximum cost of \$5,000,000.

NOW, THEREFORE, BE IT ORDERED, that the establishment of the District is hereby approved, to be known as Water District #1, in the Town of Canadice, situate wholly outside of any incorporated village or city, and is bounded and described as follows:

See Attached Schedule "A."

ORDERED, that the District hereinabove referred to shall be established and constructed as set forth in the Order Calling the Public Hearing dated May 27, 2014, and the resolution and order dated June 9, 2014 at an estimated maximum cost of \$5,000,000, and the plan of financing is by the issuance of serial bonds in an aggregate amount not to exceed \$5,000,000, said amount to be offset by the receipt of any federal, state, county and/or local funds including, but not limited to, a USDA Rural Development Agency grant of approximately \$750,000 and unless paid from other sources or charges, the costs of the establishment of the District shall be paid by the assessment, levy and collection of the special assessments from the several lots and parcels of land within the District, which the Town Board shall determine to be especially benefited by said District, so much upon and from each as shall be in just proportion to the amount of benefit which the District shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and, be it further

ORDERED, that within ten days after adoption of this Order, the Town Clerk shall record with the Clerk of the County of Ontario and file with the Department of Audit and Control in Albany, New York copies of this Order, certified by the Town Clerk.

2. Resolution Number 32 of 2015 – Authorizing The Issuance Of Up To \$5,000,000 In Serial Bonds To Finance The Cost Of Acquiring And Constructing Canadice Water District No. 1
Councilman Hershey motioned, Councilman Malmendier seconded, and it was unanimously carried to approve the resolution.

APPROVED Ayes 5 Singer, O’Connor, Hershey, Statt, Malmendier
 Nays 0

At a regular meeting of the Town Board of the Town of Canadice, Ontario County, New York, duly held at the Town Hall located at 5949 County Road 37, Springwater, New York 14560 on July 13, 2015 at 7:30 p.m.

PRESENT: Supervisor Kristine Singer
 Councilman John O’Connor
 Councilman William Hershey
 Councilman Mark Statt
 Councilman Mark Malmendier

ABSENT: N/A

The following resolution was offered by Councilman Hershey, who moved its adoption, seconded by Councilman Malmendier, to-wit:

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF CANADICE, ONTARIO COUNTY, NEW YORK (THE “TOWN”), AUTHORIZING THE ISSUANCE OF UP TO \$5,000,000 IN SERIAL BONDS OF THE TOWN TO FINANCE THE COST OF ACQUIRING AND CONSTRUCTING THE WATER SYSTEM IMPROVEMENTS TO BE INCLUDED IN THE TOWN OF CANADICE WATER DISTRICT NO. 1

WHEREAS, by resolution of the Town Board of the of the Town of Canadice, Ontario County, New York (the "Town") dated July 13, 2015, adopted immediately prior to the consideration of this resolution, said Town Board adopted its final order establishing the Town of Canadice Water District No. 1 (the "District") in accordance with Article 12-A of the Town Law; and

WHEREAS, pursuant to resolutions dated May 9, 2011, June 13, 2011, November 14, 2011, January 9, 2012, and February 10, 2014, the Town Board of the Town: (i) declared itself lead agency for purposes of conducting an environmental review of undertaking the proposed improvements to be included in the District, in accordance with the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, "SEQRA"); (ii) determined that the undertaking of such improvements constituted a "Type I" action within the meaning of SEQRA; and (iii) determined that the actions to be taken in connection with the proposed improvements would not cause significant adverse impact on the environment and issued a "Negative Declaration" to such effect in accordance with the provisions of SEQRA; and

WHEREAS, the Town Board now wishes to appropriate funds and to authorize the issuance of obligations of the Town to finance said District and the improvements therein.

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF CANADICE, ONTARIO COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Town is hereby authorized to issue up to \$5,000,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the cost of acquiring, constructing and equipping the improvements to be included in the Town of Canadice Water District No. 1, including the acquisition of land and/or easements or other rights therein, the construction of improvements consisting of water mains, lateral lines, valves, hydrants, pump stations, meters, a water storage reservoir, curb stops, original furnishings, equipment, machinery or apparatus, and all other appurtenant and incidental improvements necessary or appropriate to serve benefited properties within said water district, all engineering and other preliminary costs, legal expenses and other costs incidental to the financing thereof (collectively, the "Project").

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$5,000,000, said amount is hereby appropriated therefor. The plan for the financing thereof shall consist of (i) the issuance of \$5,000,000 in serial bonds of the Town authorized to be issued pursuant to Section 1 of this resolution, and bond anticipation notes issued in anticipation thereof, (ii) the partial repayment of such bond anticipation notes by the application of up to \$750,000 in grant monies that the Town expects to receive from the United States Department of Agriculture, Office of Rural Development ("Rural Development"), (iii) the assessment, levy and collection of assessments upon benefited properties within the District; and (iv) to the extent necessary, the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is currently anticipated that such serial bonds will be issued and sold to Rural Development.

SECTION 3. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivision 1. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued pursuant to Section 1 of this resolution shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued.

SECTION 5. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, the chief fiscal officer of the Town (the "Supervisor"). Further, in connection with bonds and bond anticipation notes issued under the authority of Section 1 hereof, the power to contract with and issue bonds and bond anticipation notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Law and to approve the terms, form and content of such bonds and bond anticipation notes, consistent with the provisions of the Law, is hereby delegated to the Supervisor. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of this Town Board, then the power of the Town Board to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Supervisor is hereby further authorized, at her sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, and, or a bond anticipation note issue in the event of the sale of same to the New York State Environmental Facilities Corporation.

SECTION 9. The Supervisor of the Town is hereby further authorized to take such actions and execute such

a. Proposed Backhoe Replacement -

1. **Resolution Number 36 of 2015** – Authorizing Trade Of Loader According To The Equipment Replacement Schedule

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

APPROVED Ayes 5 Singer, O’Connor, Hershey, Statt, Malmendier
 Nays 0

WHEREAS, This Board and the Highway Superintendent have developed a comprehensive equipment replacement schedule to stabilize the capital equipment expenditure line and maintain quality equipment; and WHEREAS, With the development of this schedule a trade in fee based on the number of hours on the machine and any applicable mandated increases was established for certain equipment to allow for annual or bi-annual upgrades at minimal expenses; and

WHEREAS, The trade-in fee for the loader was established for a bi-annual trade; and

WHEREAS, If we are to maintain the established schedule, the loader will need to be returned with a payment of \$10.00 per hour of run time in the coming weeks, at which time a new machine will be delivered; and

WHEREAS, This Board, after discussion, agrees with the established replacement schedule; now, therefore, be it

RESOLVED, That this Board authorizes the Supervisor to execute any documents necessary to complete the transaction and approves the fee in accordance with the equipment replacement schedule; and, be it further

RESOLVED, That the Clerk of this Board is to retain a copy of this resolution in addition to sending a certified copy to Highway Superintendent Michael Virgil.

4. Fire Contract Proposals –

a. **Resolution Number 37 of 2015** – Setting Date, Place And Time For A Public Hearing To Entertain Comments Pertaining To The Proposed 2016 Fire Protections Contracts

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

APPROVED Ayes 5 Singer, O’Connor, Hershey, Statt, Malmendier
 Nays 0

WHEREAS, The Town of Canadice currently contracts with the Richmond Fire District and Hemlock Fire District for fire protection and ambulance service within the Town's fire protection district; and

WHEREAS, Said contracts will expire on December 31, 2015; and

WHEREAS, This Board is reviewing the services provided by each of the Districts; and

WHEREAS, This Board desires to ensure the residents of the town have adequate fire and ambulance services; and

WHEREAS, This Board will pursue executing new contracts for a one year period commencing January 1, 2016 and terminating December 31, 2016 that it feels best meets the needs of the residents of the Town; and

RESOLVED, That this Board will conduct a public hearing to entertain comments pertaining to said contracts at 7:30 pm on August 10, 2015 at the Canadice Town Hall, 5949 County Road 37; and, be it further

RESOLVED, That the Clerk of this Board publish notice of said hearing in the official newspaper in accordance with Town Law and send copies of this resolution to the Richmond Fire District and the Hemlock Fire District.

5. Approval of the Bills –

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

ABSTRACT #7 for 2015-

		Voucher#	
General/Highway:		#245 to #288	\$ 76,606.43
Trust & Agency		#8 to #10	\$ 2,881.30
APPROVED	Ayes 5	Singer, O’Connor, Hershey, Statt, Malmendier	
	Nays 0		

*There was some discussion regarding the two attorney’s bills; the water district work and Town litigation work.

H. PRIVILEGE OF THE FLOOR:

1. Supervisor Singer received a petition from Mr. Jerry Geartz that his attorney indicated could not be given directly to Ontario County. Supervisor Singer will pass it on to the Public Works Committee. Mr. Gronwall attended a meeting at the Ontario County Water Resource Council and it was indicated that the procedure to clean culverts out by the county once a year will not be changed and the culverts are sized by their specifications. He also mentioned the county was very responsive when the storm came through and were onsite on County Road 36 very quickly.
2. Mrs. Diane Horning asked when the Republican Caucus would be scheduled. Supervisor Singer does not have a date yet.
3. Councilman O’Connor questioned the resolution for the unsafe structure and the address. Supervisor Singer indicated it is the Ross Road address.
4. Councilman O’Connor asked what option might be available if a building was up for sale that could be moved to Canadice and used for the Highway Department. A building in Richmond just sold recently and would have been a good buy. Supervisor Singer indicated a special meeting could always be held if another opportunity like that arises.
5. Councilman Hershey indicated when Supervisor Singer meets with the group Senator Funke has invited to discuss the flooding issue, they need to set a date for a follow-up meeting. Otherwise the tasks set will be difficult to keep track of.

I. ADJOURNMENT:

Councilman O’Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to adjourn the meeting at 9:34 pm.

APPROVED	Ayes 5	Singer, O’Connor, Hershey, Statt, Malmendier
	Nays 0	

Respectfully submitted, _____ Eileen Schaefer, Town Clerk