

**A. CONVOCAATION:**

- 1. The Canadice Town Board Meeting was held on July 8, 2019 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  
 Councilman Teryl Gronwall

Others Present: Nine (9) guests/residents attended the Regular Town Board Meeting.

- 3. Salute to the Flag.

- 4. Approval of June 10, 2019 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 Malmendier motioned, Councilman Statt seconded, and it was unanimously carried to approve the minutes of the June 10, 2019 Regular Town Board Meeting.

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

**B. PRIVILEGE OF THE FLOOR:**

- 1. Mr. Michael Schaffron provided an update on the water district.
- 2. Mr. and Mrs. Hoover discussed fixing driveways in the water district before winter.
- 3. Highway Superintendent Virgil provided an update on the Flexamat erosion control mat.

**C. EXECUTIVE SESSION:**

Councilman O’Connor motioned, Councilman Gronwall seconded, and it was unanimously carried to close the regular meeting and go into executive session to discuss potential litigation and contract terms at 7:45 pm.

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

Councilman Mark Statt motioned, Councilman Malmendier seconded, and it was unanimously carried to close the executive session with no action taken and resume the regular meeting at 8:27 pm.

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

**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/Tax Collector for the month of June was submitted (see T. C. file).

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

APPROVED           Ayes 5           Singer, O'Connor, Statt, Malmendier, Gronwall  
                          Nays 0
2. Historian- Mrs. Margaret Bott.
  - a. No Report.
3. Code Enforcement Officer- Mr. Stephen Smith.
  - a. The written report for the month of June 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. From County Planning- Dick's is moving from their current location in Victor over to the old Sears location at Eastview.
5. Zoning Board of Appeals- Mrs. Linda Moorhouse.
  - a. No report.
6. Highway Superintendent- Mr. Mike Virgil.
  - a. The written report for the month of June was submitted (see T. C. file).
  - b. Heavy rain came down within four hours on June 19<sup>th</sup> causing culverts to get clogged and roadside debris, but there was no significant damage.
  - c. Money needs to be budgeted for recovering the salt storage sheds.
  - d. Mr. Steve Zeh retired effective June 21<sup>st</sup>.
7. Honeoye Lake Watershed Research Task Force- Councilman Gronwall.
  - a. The written report for the month of June was submitted (see T.C. file).
  - b. Water clarity remains good.
  - c. The Mill Creek Habitat Restoration and Bank Stabilization Project was completed in June.
  - d. Supervisor Singer indicated the weed harvester was vandalized again.
8. Assessor- Mrs. Lisa M. Bennett
  - a. The written report for the month of June was submitted (see T.C. file).
9. Water District Project –
  1. **Resolution Number 39 of 2019** – Authorizing Change Order No.5 For Canadice Water District No. 1 Project  
Councilman O'Connor motioned, Councilman Statt seconded, and it was unanimously carried to approve the

resolution.

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

WHEREAS, this Board authorized the construction of Canadice Water District No. 1; and  
WHEREAS, bids were solicited and received for said project; and  
WHEREAS, Fineline Pipeline was awarded the bid in the amount of \$4,691,805.00; and  
WHEREAS, a request to modify the project cost was submitted due to the need to attach tags to certain hydrants; and  
WHEREAS, the engineering firm, LaBella, has reviewed the request and approved the same; now, therefore, be it  
RESOLVED, that this Board approves Change Order No. 5 with the additional \$506.00 being reduced from the Contingency Line and re-appropriated to the construction line of the project budget resulting in the contract price being \$4,711,388.28; and, be it further  
RESOLVED, that certified copies of this resolution be sent to Kathy Dear from LaBella and Associates, to Fineline Pipeline and retain a copy in the project records.

2. Councilman Malmendier mentioned a water district mailing was processed which included a letter reminding residents not to install their water services before they are given the approval by the Town. An updated question & answer sheet and information regarding meter pits were also included. The website has been updated. There have been many resident inquiries handled.

10. Supervisor- Ms. Kristine Singer.

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

Councilman Statt motioned, Councilman Gronwall seconded, and it was carried to accept the Supervisor’s report.

APPROVED                   Ayes 4                   O’Connor, Statt, Malmendier, Gronwall  
                                          Abstain 1               Singer  
                                          Nays 0

b. Budget Transfer:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
A1990.4	A1430.4	\$ 800.00	Expenditures greater than budgeted amount.

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

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

**F. UNFINISHED BUSINESS:**

1. No unfinished business.

**G. NEW BUSINESS:**

1. **Resolution Number 40 of 2019** – Revised Building Permit Fee Schedule

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

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

WHEREAS, Chapter 55 of the Town of Canadice Municipal Code, Local Law Number 1 of 1997 and Chapter 52 of the Town of Canadice Municipal Code, Local Law Number 1 of 2006, allow the Town to establish building permit fees: and

WHEREAS, §55-14 and §52-17 state the fees may be set from time to time by this Board; and

WHEREAS, this Board is revising the fee schedule at the recommendation of the Town of Canadice Code Enforcement Officer to include fees for Solar Projects; now, therefore, be it

RESOLVED, the fee schedule for permits is hereby revised to include permits and fees for the construction and installation of a solar system being \$50.00 for residential systems 25kW or less and \$100 for all systems over 25kW; and, be it further

RESOLVED, that the Clerk of this Board send certified copies of this resolution to Mr. Stephen Smith, Town of Canadice Code Enforcement Officer and retain a copy for the Town’s official records.

- a. Draft solar permit application submitted.

**2. Resolution Number 41 of 2019 – Reappointment To The Ontario County Planning Board**

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

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

WHEREAS, the term of the Town of Canadice representative to the Ontario County Planning Board will expire on July 31, 2019; and

WHEREAS, Mr. Stephen Groet has served in this position since 2004; and

WHEREAS, Mr. Groet has indicated that he would like to remain as the Canadice representative on the Ontario County Planning Board; and

WHEREAS, this Board after due deliberation agrees that Mr. Groet has been and will continue to be an asset to the Ontario County Planning Board and is pleased that he wishes to be reappointed to said board; now, therefore, be it

RESOLVED, that this Board does hereby recommend the reappointment of Mr. Stephen Groet as the Canadice representative to the Ontario County Planning Board commencing August 1, 2019 and terminating on July 31, 2024; and, be it further

RESOLVED, that the Clerk of this Board send certified copies of this resolution to Mr. Groet, the Secretary of the Canadice Planning Board and the Ontario County Planning Department.

**3. Resolution Number 42 of 2019 – Authorization To Execute An Intermunicipal Agreement With The Town Of Richmond For The Summer Recreation Program, 2019**

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

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

WHEREAS, the Town of Richmond has presented to this Board an Intermunicipal Agreement in connection with Canadice's support of their recreation program; and

WHEREAS, the Town of Richmond agrees to offer the residents of Canadice the opportunity to participate in all of their programs; and

WHEREAS, the Town of Canadice agrees to contribute the sum of \$9,821.50 to the Town of Richmond Recreation Program as approved in the 2019 Budget; and

WHEREAS, this Board agrees it is in the best interest of its residents to support the Richmond recreation program; now, therefore, be it

RESOLVED, that this Board gives authorization for the execution of said agreement by the required Town Officials; and, be it further

RESOLVED, that is Board requests a copy of the programs results of operations and proposed upcoming year's budget prior to the preparation of the Canadice preliminary budget in September of the year; and, be it further

RESOLVED, that the Clerk of this Board send a certified copy of this resolution along with the executed copy of the agreement and retain a copy of said agreement in the official records.

**4. Resolution Number 43 of 2019** - Setting Date, Place And Time For A Public Hearing To Entertain Comments Pertaining To The Adoption Of Local Law Number 4 (Intro) Of 2019 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 2020

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

APPROVED                   Ayes 5                   Singer, O'Connor, Statt, Malmendier, Gronwall  
                                          Nays 0

WHEREAS, there has been presented and introduced at a meeting of this Board held on July 8, 2019, a proposed local law 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 2020"; now, therefore, be it

RESOLVED, that this Board shall hold a Public Hearing on the 12th day of August 2019 at 7:30 pm for the purpose of entertaining comments pertaining to the adoption of Local Law Number 4 (intro) of 2019 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 2020; 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

**5. Resolution Number 44 of 2019** - Authorization To Execute A Water & Sewer Billing Software Support Contract With Williamson Law Book Company

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

APPROVED                   Ayes 5                   Singer, O'Connor, Statt, Malmendier, Gronwall  
                                          Nays 0

WHEREAS, this Board purchased the Water & Sewer Billing Software Program from Williamson Law Book Company in 2018 for use in Canadice Water District No. 1; and

WHEREAS, the software support is an annual renewable contract, at a rate of \$1,495.00 for the period 7/1/19 to 6/30/20; 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 with the contract fee and retain a copy in the Town files.

**6. Resolution Number 45 of 2019 - Authorizing Change Order No. 6 For Canadice Water District No. 1 Project**

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

APPROVED                   Ayes 5                   Singer, O'Connor, Statt, Malmendier, Gronwall  
                                          Nays 0

WHEREAS, this Board authorized the construction of Canadice Water District No. 1; and WHEREAS, bids were solicited and received for said project; and WHEREAS, Fineline Pipeline was awarded the bid in the amount of \$4,691,805.00; and WHEREAS, a request to modify the project cost was submitted due to the need to attach tags to certain hydrants; and WHEREAS, the engineering firm, LaBella, has reviewed the request and approved the same; now, therefore, be it RESOLVED, that this Board approves Change Order No. 6 with the additional \$5,754.15 being reduced from the Contingency Line and re-appropriated to the construction line of the project budget resulting in the contract price now being \$4,717,142.43; and, be it further RESOLVED, that certified copies of this resolution be sent to Kathy Dear from LaBella and Associates, to Fineline Pipeline and retain a copy in the project records.

**7. Resolution Number 46 of 2019 - Authorizing Change Order No. 7 For Canadice Water District No. 1 Project**

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

APPROVED                   Ayes 5                   Singer, O'Connor, Statt, Malmendier, Gronwall  
                                          Nays 0

WHEREAS, this Board authorized the construction of Canadice Water District No. 1; and WHEREAS, bids were solicited and received for said project; and WHEREAS, Fineline Pipeline was awarded the bid in the amount of \$4,691,805.00; and WHEREAS, a request to modify the project cost was submitted due to the need to attach tags to certain hydrants; and WHEREAS, the engineering firm, LaBella, has reviewed the request and approved the same; now, therefore, be it RESOLVED, that this Board approves Change Order No. 7 with the additional \$42,637.75 being reduced from the Contingency Line and re-appropriated to the construction line of the project budget resulting in the contract price now being \$4,759,780.18; and, be it further RESOLVED, that this Board also approves an additional 30 day extension to the substantial completion date; and, be it further

RESOLVED, that certified copies of this resolution be sent to Kathy Dear from LaBella and Associates, to Fineline Pipeline and retain a copy in the project records.

8. Approval of the Bills –

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

ABSTRACT #7 for 2019-

		Voucher	
General/Highway Account		#256 to #310	\$328,798.13
Trust & Agency		#7 to #8	\$ 3,794.57
APPROVED	Ayes 5	Singer, O’Connor, Statt, Malmendier, Gronwall	
	Nays 0		

**H. PRIVILEGE OF THE FLOOR:**

1. Councilman Statt inquired about the Historian building – when would they be able to schedule the controlled burn. Supervisor Singer indicated the building needs to be emptied first.

2. CEO Smith questioned if the solar application was approved, Supervisor Singer indicated it was.

**I. ADJOURNMENT:**

Councilman O’Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to adjourn the meeting at 9:15 pm.

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

Meeting Recorded by Deputy Town Clerk Diane Horning. Respectfully submitted,

\_\_\_\_\_ Eileen Schaefer, Town Clerk