

A. CONVOCAATION:

1. The Canadice Town Board Meeting was held on August 13, 2018 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: Seven (7) guests/residents attended the Regular Town Board Meeting.

3. Salute to the Flag.

4. Approval of July 9, 2018 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 July 9, 2018 Regular Town Board Meeting.

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

B. RECONVENE PUBLIC HEARING:

1. To Entertain Comments Pertaining To The Adoption Of Local Law Number 3 (Intro) Of 2018 Entitled: A Local Law Amending Chapter 110, Taxation, Adding Article V, Solar And Wind Energy Exemption, Of The Town Of Canadice Town Code.

*Supervisor Singer reconvened the public hearing and introduced the Ontario County Real Property Director Robin Johnson. She was asked to attend and answer some of the questions that came up at the last meeting regarding this proposed local law. Canadice Assessor Lisa Bennett was unable to attend.

*Mr. Burch Craig thinks the exemption should be kept to encourage solar energy. He questioned if solar panels are even being properly assessed and found nothing in writing.

*Director Johnson indicated there is no standard for assessing solar right now for individual residential or a big commercial farm. It may cost a lot to install solar, but it doesn’t make it more marketable. So there is an issue with trying to evaluate the assessed value for a property with solar. Some assessors have applied a base value of \$5K on individual residential situations. The big solar farms are a different situation and there is money to be made for those companies. A website called pvvalue.com will give you a value after filling in some numbers. The exemption is only for 15 years. Mr. Craig is looking at the exemption more for the individual residential homeowner and feels it discourages the use of solar. Director Johnson indicated Ontario County had opted out of this exemption long before she worked in that office. If you don’t have good information for market value of properties with solar it may not be assigned a value by the assessor. There just is no good standard currently. For the savings realized in residential use, the homeowner will still have an incentive to purchase solar.

*Councilman Malmendier discussed how an assessed value might be assigned and is concerned with the lack

C. file).

Councilman O'Connor motioned, Councilman Malmendier 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 July was submitted (see T. C. file).

b. There was a complaint on Holden Drive Friday. An old mobile home was burned. DEC was also called. The property owner came up to the Town Hall so a demolition permit could be issued, and DEC issued a ticket.

4. Planning Board- Mr. Theodore Mayhood.

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

b. Harrison's site application was approved.

c. From Ontario County Planning, a cider tasting facility has been approved for a location on Rt 364.

d. Mr. Burch Craig will be the liaison to the ZBA.

e. The draft solar energy law has been submitted to the Town Board for review and approval.

f. James and Patricia Decaro on Lawrence Hill Road discussed subdividing 20 acres to the Land Trust which will in turn be transferred to DEC.

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 July was submitted (see T. C. file).

b. Heavy rain on July 23rd resulted in some plugged culverts on lower Holmes Road, cleaned culverts and made temporary repairs to the road surface. Cleaning other culverts as needed around Town.

c. The balance of mix-paving of Canadice Lake Road has been completed and oiling & stoning will take place the week of August 13th.

d. The second round of mowing is about 40% complete.

e. Hauling ice-control sand when weather slows other work. Sand costs have increased 11% over last year. It's now \$6.95 per ton on the County bid.

f. Superintendent Virgil stressed to the Board the need to increase future budgets substantially for the road-work. After some discussion, Supervisor Singer will look at the proposed budget numbers.

7. Honeoye Lake Watershed Research Task Force- Councilman Gronwall.

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

b. Water quality update – water clarity was 6.2 feet and the temperature 79.0 °F.

c. A perch fish kill started Sunday July 29th. DEC collected dead fish samples and they will be

analyzed by Cornell University.

d. The weed harvester had an issue with the engine wiring harness on Tuesday July 17th and has not operated since. The repair date is yet to be determined. Councilman O'Connor questioned if there are still weeds washing onto the shoreline even though the weed harvester has not been in use. Councilman Gronwall indicated there are still a lot of weed fragments washing ashore. Some discussion took place regarding the reason the weed harvester may have broken down.

e. Finishing up with the NYSDEC WQIP Grant Round 11 project.

8. Assessor- Mrs. Lisa M. Bennett

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

b. The Assessor's new computer has been installed. The machine it replaced will be cleaned and installed in the CEO's office.

9. Special Reports -

a. Water District Update –

1. Resolution Number 58 of 2018: Authorization To Execute Proposal From Atlantic

Testing Laboratories

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, LaBella Associates requested proposals from testing firms for services required during the construction of Canadice Water District No. 1; and

WHEREAS, after a review of the two proposals received, LaBella recommends that the Town accept the proposal from Atlantic Testing Laboratories; and

WHEREAS, the proposal from Atlantic Testing Laboratories met all the conditions of the proposal and was more cost effective; now, therefore, be it

RESOLVED, that this Board authorizes the Supervisor to execute said proposal; and, be it further

RESOLVED, that the Clerk of this Board send certified copies of this resolution with the executed proposal to Atlantic Testing Laboratories, LaBella Associates and retain a copy in the Town files.

2. Supervisor Singer indicated the money from the BAN has been deposited. Councilman Malmendier reported on the meters that will need to be purchased. The original quote for the meters was \$94,298. The software costs may go up some. The purchase should be authorized at the September meeting.

3. There were concerns regarding water run-off from the heavy rain down-pours. DEC looked over the project and we are officially in compliance. Some additional questions were asked by DEC and LaBella answered those questions.

4. The connection specifications have been approved and posted on the website. Some copies are available at the Town Hall.

10. Supervisor- Ms. Kristine Singer.

a. The financial report for the month of July 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
 Abstained 1 Singer
 Nays 0

b. Budget Transfer:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
A1990.4	A1620.42	\$ 300.00	Expenditures greater than budgeted amount.

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

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

c. **Resolution Number 59 of 2018:** 2018 Budget Modifications

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

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

WHEREAS, the Budget Officer has determined that funds are available in unexpended fund balance to adjust expenditure lines that have been exhausted due to expenses not originally budgeted, but approved by this Board; now, therefore, be it

RESOLVED, that this Board directs the Budget Officer to make the following 2018 budget modifications:

Revenues

Increase A599, Appropriated Fund Balance by \$6,000.00

Expenditures

Increase A1680.4, Central Data Processing by \$5,000.00

Increase A8664.4, Code Enforcement – Contractual, by \$1,000.00

F. UNFINISHED BUSINESS:

1. **Resolution Number 60 of 2018:** Adoption Of Local Law Number 3 (Intro) Of 2018 Entitled: A Local Law Amending Chapter 110, Taxation, Adding Article V, Solar And Wind Energy Exemption, Of The Town Of Canadice Town Code

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

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

WHEREAS, a Public Hearing was duly held at the Canadice Town Hall on the 9th day of July, 2018 at 7:30 pm, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Public Hearing was tabled to gather more information from the Canadice Assessor Lisa Bennett and Ontario County Real Property Director Robin Johnson; and

WHEREAS, the discussion was brought forth at the August 13th Canadice Town Board meeting with more information provided by Robin Johnson, Ontario County Real Property Director; and

WHEREAS, the Town Board of the Town of Canadice, after due deliberation, finds it in the best interest of

the Town to adopt said Local Law; and
 WHEREAS, it is necessary to keep all local laws, as finally adopted, numbered consecutively in the year of their filing in the Office of the Secretary of State; now, therefore, be it
 RESOLVED, that this Board adopts said Local Law Number 3(Intro)of 2018 as Local Law Number 3 of 2018 entitled: A Local Law Amending Chapter 110, Taxation, Adding Article V, Solar and Wind Energy Exemption, of the Town of Canadice Town Code; and, be it further
 RESOLVED, that the Clerk of this Board is hereby directed to send certified copies of this resolution along with a copy of Local Law Number 3 of 2018 to the Secretary of State for filing within that office and to General Code Publishers for incorporation into our code book.

2. Fire District Contracts

a. Additional discussion took place and their budget request will be considered after more information is gathered and after Supervisor Singer receives their full budget.

3. Distribution of Draft Solar Energy Law – Mr. Mayhood provided an overview of the draft solar energy law. Since it was late, Mr. Mayhood suggested the Board might email questions or suggestions to Burch before the next meeting.

G. NEW BUSINESS:

1. Resolution Number 61 of 2018: Requesting County Assistance For A Revaluation Project For The Town Of Canadice

Councilman Statt motioned, Councilman Gronwall 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 Canadice has undergone the data collection of real properties within the Town; the Town feels that it is necessary to conduct a revaluation project of all properties for the 2019 assessment roll to maintain a uniform standard of assessment for the Town; and

WHEREAS, the State of New York may provide financial assistance to the Town for the implementation of a system of real property tax administration which conforms to the standards established pursuant to Article 15-B, §1570, Section 1 of NYS Real Property Tax Law; now, therefore, be it

RESOLVED, that the Town Board of the Town of Canadice, New York, hereby requests County assistance, specifically from the Real Property Tax Office of Ontario County to help do a revaluation project to achieve and maintain a uniform standard of assessment in accordance with §305 of NYS Real Property Tax Law; and, be it further

RESOLVED, that the Supervisor is hereby authorized and directed to expend the necessary funds for the preparation of said plan and the establishment and maintenance of the Real Property Improvement Program and to make application to the Office of Real Property Tax Services for financial assistance pursuant to Article 15-B, §1573 of New York State Real Property Tax Law; and, be it further

RESOLVED, that the Clerk of this Board provide certified copies of this resolution to Robin Johnson, Ontario County Real Property Tax Director, Lisa Bennett, Town of Canadice Assessor, Canadice Town Supervisor Kristine Singer and retain a copy in the permanent records of the Town.

2. Resolution Number 62 of 2018: Establishing Standard Workdays For Elected And Appointed Officials For Retirement Purposes

Councilman Gronwall 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 New York State and Local Employees’ Retirement System requires that a Standard workday be established for retirement credit purposes; and

WHEREAS, this Board has reviewed and recommended establishment of standard workdays for elected and appointed officials; now, therefore, be it

RESOLVED, that this Board hereby establishes the following as standard workdays for elected and appointed officials; and, be it further

RESOLVED, that this Board will report the following days worked in the New York State Employees’ Retirement System based on the record of activities maintained and submitted by the official, who is a member of the Retirement System, to the Clerk;

<i>Position</i>	<i>E/A</i>	<i>Name</i>	<i>Std Work Day</i>	<i>Term</i>	<i>Maintains PR Time Record</i>	<i>Days per Month</i>
Town Board						
Member	E	Mark Statt	6.0	1/01/18-12/31/21	No	1.28
Supervisor	E	Kristine Singer	6.0	1/01/18-12/31/21	No	11.22
Town Clerk/ Tax Collector	E	Eileen Schaefer	6.0	1/01/18-12/31/21	No	18.66

and, be it further

RESOLVED, that a certified copy of this resolution be transmitted by the Clerk to the New York State Comptroller and a copy be retained in the Town records.

3. Employer Compensation Expense Program (Payroll Tax) – No one was interested in pursuing this program.

4. Resolution Number 63 of 2018: Resolution Of Sympathy- Mabel Proctor

Councilman Statt 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, this Board was deeply saddened to learn of the death of Mable Proctor; and

WHEREAS, Mabel, fondly known to most as ‘Mom’, was a lifelong Canadice resident reaching the age of 102; and

WHEREAS, Mrs. Proctor unofficially served the Town assisting her husband, James Raymond ‘Ray’ Proctor, during his long tenure as Landfill Attendant and Building Custodian until his passing in 1988; and

WHEREAS, at that time Mable became the Town of Canadice Buildings Custodian; and

WHEREAS, Mable remained in that position with the help of her son, Stanley, in her later years until her

retirement in December 2011; and

WHEREAS, ‘Mom’ was a true friend to many and a highly respected resident of Canadice; and

WHEREAS, anyone who encountered ‘Mom’ thoroughly enjoyed hearing her stories about the Town she grew up in and loved dearly; and

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

RESOLVED, that the Town Board of the Town of Canadice extends its sympathy to the family of Mrs. Mable Proctor; 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 her son, Stanley Proctor.

5. Resolution Number 64 of 2018: Accepting The 2017 Justice Court Audit

Councilman Statt 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 New York State Justice Court Administration requires an annual audit of the courts of local towns and villages; and

WHEREAS, the Town Board of the Town of Canadice is committed to ensuring compliance with State mandated requirements; and

THEREFORE, IT IS RESOLVED, that the Town Board hereby accepts the audit of the 2017 Justice Court conducted on May 14, 2017; and it is

FURTHER RESOLVED, that a copy of this audit, along with a certified copy of this resolution, be sent to the New York State Office of the Court Administration; and, it is further

RESOLVED, that a certified copy of this resolution along with a copy of the audit be sent to Honorable Russel Coon, Honorable Dale Schaefer, Justices for the Town of Canadice; and to Steve Engard, Town of Canadice Court Clerk.

6. Online Petition – “Help Save Honeoye Lake” – Supervisor Singer, Councilman Gronwall and Betsy Landre from Ontario County Planning will provide a response.

7. Approval of the Bills –

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

ABSTRACT #8 for 2018-

		Voucher	
General/Highway/Capital Water Project		#303 to #355	\$511,072.68
Trust & Agency		#10 to #13	\$ 3,267.32
APPROVED	Ayes 5	Singer, O’Connor, Statt, Malmendier, Gronwall	
	Nays 0		

8. Supervisor Singer discussed the updated procurement policy that was distributed for review.

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

I. ADJOURNMENT:

Councilman O'Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to adjourn the meeting at 10:06 pm.

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

Respectfully submitted, _____ Eileen Schaefer, Town Clerk