

A. CONVOCAATION:

1. The Canadice Town Board Meeting was held on October 12, 2020 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: Eleven (11) guests/residents attended the Regular Town Board Meeting.

3. Salute to the Flag.

4. Approval of September 14, 2020 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 Statt motioned, Councilman Gronwall seconded, and it was unanimously carried to approve the minutes of the September 14, 2020 Regular Town Board Meeting.

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

With the following correction: Pg 8, public hearing for 2021 Fire Protection Contracts

Approval of September 29, 2020 Budget Workshop 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 Statt motioned, Councilman Gronwall seconded, and it was unanimously carried to approve the minutes of the September 29, 2020 Budget Workshop Meeting.

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

B. PUBLIC HEARING: Regarding A Public Hearing Pertaining To The 2020 Special Assessment Roll To Collect Water District No. 1 Capital Improvement Costs Based On Benefit Formulas

*Supervisor Singer briefly explained what the benefit formula is and how it is applied after Ms. Jackie Paterson questioned how it is used. Councilman Malmendier also discussed how it is applied to Ms. Paterson’s properties. Supervisor Singer indicated the unit cost will be \$275 on the 2021 town and county tax bill. That was the information Mrs. Roe Hornung was interested in.

*Ms. Paterson mentioned she has a lot that is not buildable unless another mobile of the same dimensions as the old one is placed on the property. She questioned if she can hook up the water to an RV. CEO Smith indicated an RV can be used on the property. Councilman Gronwall questioned if the benefit unit would change if she hooked up to the public water. Councilman Malmendier indicated it would change to a full

unit. Ms. Paterson will be able to have an account in the future if she wishes to connect to the public water district on that property.

Councilman O’Connor motioned, Councilman Statt seconded, and it was unanimously carried to close the public hearing.

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

C. PUBLIC HEARING: Pertaining To The 2021 Fire Protection Contracts

*Representatives from Hemlock Fire District- Daniel Resides, Chad Fraser and by Zoom Laura Panipinto attended the meeting. Commissioner Resides questioned if there was any more feedback on changing the boundary lines for the contracts. Councilman O’Connor indicated it was discussed briefly and a committee will need to be set up. It is also a possibility that Canadice will join Richmond Fire District and we would still contract with Hemlock. Commissioner Laura Panipinto did not have any other questions.

Councilman O’Connor motioned, Councilman Statt seconded, and it was unanimously carried to close the public hearing.

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

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

E. 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 a letter to the editor by Barbara Starr from Victor in The Daily Messenger regarding our lakes that Mr. Don Cook supplied.

F. REPORTS:

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

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

Councilman Statt 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 September was submitted (see T. C. file).

b. Councilman Malmendier questioned the item regarding Mr. Frank Reitano remodeling a cottage without a permit. CEO Smith explained the process. Councilman O’Connor questioned how the CEO

rectifies that situation. CEO Smith indicated it depends on what was done, and in this case he told the homeowner what needed to be changed to meet code and eventually obtain a C of O.

4. Planning Board- Mr. Theodore Mayhood.

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

b. Request to waive 2020 training requirements. The Town Board approved the request and will let the ZBA know also.

c. The short-term rental research group submitted a preliminary draft that was discussed at the meeting and some suggestions for changes were made.

d. Discussed an application from Mr. Geartz and he may go to the ZBA for a variance. CEO Smith indicated Mr. Geartz did submit a ZBA application.

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

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

6. Highway Superintendent- Mr. Jeremy Fraim.

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

b. Equipment Inventory Report.

c. Centerline striping on 10.45 miles of road, another seven miles scheduled for the month.

d. Ditch cleaning and reconstruction on Canadice Hill Rd, Middle Rd and Cratsley Hill Rd.

e. Grader wedge paved several roads.

f. Burnett General Contracting started the assembly of the steel structure for the equipment storage building.

g. Started hauling in ice control sand for the winter. We also mixed salt and Magic and sand.

h. Discussion took place regarding the process for installing a fiberglass liner in the galvanized steel pipe on Cratsley Hill Rd.

i. Councilman O'Connor questioned where we stand with the possibility of sharing a grader with West Bloomfield. Superintendent Fraim mentioned it is at a standstill right now and will address the situation again after the first of the year.

j. **Resolution Number 66 of 2020** - Authorizing Purchase Of F250 Super Cab Pickup According To The Equipment Replacement Schedule

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, 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, the Highway Superintendent has presented cost proposals for the replacement from Municipal Qualified Contract schedules; and

WHEREAS, this Board has reviewed the proposals for the F250 Super Cab Pickup purchase; and

WHEREAS, the current crew pickup will be sent to auction when the new vehicle is received to offset the expense to the Town for the equipment; and

WHEREAS, this Board, after discussion, agrees with the established replacement schedule for the purchase

of the pickup; now, therefore, be it

RESOLVED, that this Board accepts the proposal from Van Bortel Ford for the F250 Super Cab Pickup in the amount of \$34,593.28 and

RESOLVED, that this Board authorizes the Supervisor to execute any documents necessary to complete the transaction and approves the purchase 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 Jeremy Fraim.

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

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

b. Algae in the water column has slowly diminished due to the colder weather the last few weeks.

Water clarity was 5.6 feet, which is a little less than normal for this time of year.

c. Lake monitoring activity will end within the next week.

d. The weed harvesting and shoreline weed fragment pick-up program ended October 1st.

e. NYS grant funded projects are on hold pending resolution of NYS Covid-19 budget issues.

f. FLCC Muller Field Station will hold a Virtual Nature Talk – “Bats: Who Are These Caped Crusaders?”, Thursday October 22nd at 7:00 pm. Information will be posted on the Town website.

8. Assessor- Mrs. Lisa M. Bennett

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

9. Water District Project –

a. Progress Minutes, August 27, 2020

b. Progress Minutes, September 17, 2020

c. Councilman Malmendier indicated the first water billing was processed and mailed.

Approximately 47% of hook-ups are connected and 39% of dwellings are connected. There is a request for RCWA to handle repairs that should be done before the weather changes which would roughly cost \$2400. Replacing the fiber optic link (about \$1900) can be completed later. Councilman Malmendier questioned when we settle-up with LaBella. The chemical feed station issues, the yard hydrant at the tank installed in the wrong spot are a couple of items they would be responsible for. They should also provide the “as built” documentation.

10. Supervisor- Ms. Kristine Singer.

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

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

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

G. UNFINISHED BUSINESS:

1. Resolution Number 67 of 2020 – Authorization To Execute Fire Protection & Ambulance Service

Agreements For 2021

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 currently contracts with the Richmond Fire District and the Hemlock Fire District for fire protection and ambulance service within the Towns fire protection district as set forth in executed agreements between the Town and said districts: and

WHEREAS, said agreements will expire on December 31, 2020; and

WHEREAS, this Board wishes to renew the agreement with the Hemlock Fire District for one year commencing January 1, 2021 and terminating on December 31, 2021 for compensation in the amount of \$22,909; and

WHEREAS, this Board wishes to renew the agreement with the Richmond Fire District for Ambulance service for the entire Town of Canadice and Fire Protection Service for all areas except those covered by the agreement with the Hemlock Fire District for compensation in the amount of \$175,265.00 for one year commencing January 1, 2021 and terminating on December 31, 2021; and

WHEREAS, a Public Hearing was held on October 12, 2020 relative to the proposed 2021 Fire and Ambulance Protection Contracts; now, therefore, be it

RESOLVED, that this Board is hereby authorizes the execution of the fire and ambulance protection agreements, with the above mentioned Fire Districts, under the terms set forth in the attached documents; and, be it further

RESOLVED, that both Fire District representatives and this Board agree to review the boundary lines currently established and amend the contracts if necessary; and, be it further

RESOLVED, that the Clerk of this Board send a certified copy of this resolution along with two signed copies of each agreement to the respective Fire Districts to be signed by their Commissioners, one copy to be retained by the District, the other to be returned to the Town Clerk of the Town of Canadice.

2. 2021 Preliminary Budget: The Town rate will stay the same at \$2.99 per thousand. The Water District benefit unit will be \$275. After a meeting with Supervisor Green and Supervisor Marshall regarding the Richmond Recreation request it was decided there will be a 50% reduction for this year and the language for the next budget request may include individual usage fees.

a. Resolution Number 68 of 2020 – Setting Date, Place And Time For A Public Hearing To Entertain Comments Pertaining To The Adoption Of The 2021 Canadice Town Budget

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 Budget Officer prepared the 2021 Tentative Budget and filed said budget with the Town Clerk and members of this Board; and

WHEREAS, this Board conducted a budget workshop meeting on September 29, 2020; and

WHEREAS, based on the input provided at said workshop, the Budget Officer prepared the 2021 Proposed Budget; and

WHEREAS, the Budget was further reviewed at the regular Town Board meeting on October 12, 2020 resulting in additional adjustments; now, therefore, be it
 RESOLVED, that this Board will conduct a Public Hearing to hear comments pertaining to the 2021 Proposed Budget, Monday, November 9, 2020 at the Canadice Town Hall, 5949 County Road 37, Town of Canadice, New York at 7:30 pm; and, be it further
 RESOLVED, that the Clerk of this Board publish notice of said public hearing in the official newspaper of the Town at least five (5) days prior thereto.

H. NEW BUSINESS:

1. Resolution Number 69 of 2020 – Declaring The Mechanical Voting Machine Surplus
 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 mechanical voting machines were replaced several years ago by new electronic machines; and
 WHEREAS, the Supervisor contacted the Board of Elections to verify that the mechanical machines were the property of the Town and could be disposed of should the Town desire; and
 WHEREAS, there is no purpose in retaining the machine since no votes cast on them would be qualified; now, therefore, be it
 RESOLVED, that this Board hereby declares the mechanical voting machine currently in the possession of the Town as surplus; and, be it further
 RESOLVED, that the equipment be disposed of by the Highway Department as scrap metal at the next available time; and, be it further
 RESOLVED, this equipment is to be removed from the Town’s equipment inventory should it be included on the inventory as of this date; and, be it further
 RESOLVED, that a copy of this resolution be provided to the Highway Superintendent.

2. Resolution Number 70 of 2020 – Resolution Of Sympathy – Carol Coye
 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, this Board was deeply saddened to learn of the death of Mrs. Carol Coye; and
 WHEREAS, Carol was a long time resident of the Town of Canadice; and
 WHEREAS, Mrs. Coye served the Town as an elections inspector for many years and was always friendly and pleasant to the residents as they came to cast their vote; and
 WHEREAS, Mrs. Coye was also a regular volunteer for the Canadice United Methodist Church’s infamous Strawberry Festival helping to prepare and serve the delicious meal; and
 WHEREAS, the Town of Canadice wishes to pay its respects to the memory of this fine citizen, Rest in Peace, Carol; now, therefore, be it
 RESOLVED, that the Town Board of the Town of Canadice extends its sympathy to the family of Mrs. Carol Coye; 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 family in care of her son Wayne Coye.

3. Approval of the Bills –

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

ABSTRACT #10 for 2020-

		Voucher	
General/Highway Account		#375 to #414	\$ 97,104.50
Trust & Agency		#12 to #14	\$ 6,192.37
APPROVED	Ayes 5	Singer, O’Connor, Statt, Malmendier, Gronwall	
	Nays 0		

4. **Resolution Number 71 of 2020** – Appointment - Canadice Town Board Member

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, Mr. Mark Malmendier, Elected Town Board Member, submitted his resignation effective October 15, 2020 with a little over three years remaining on his current term; and
WHEREAS, this Board posted the upcoming vacancy to solicit individuals interested in being appointed to the position and running for the remaining unexpired term in the 2021 General Election; and
WHEREAS, the Supervisor received one application of those interested in the position; and
WHEREAS, the application was reviewed by the Town Board Members; and
WHEREAS, the Town Board was pleased with the quality and caliber of the resume received from Kate Crowley who applied for the position, having numerous relevant qualifications; and
WHEREAS, this Board after due deliberation agrees that Ms. Kate Crowley will be an asset to the Town and it’s residents as a Canadice Town Board Member and is pleased that she wishes to be appointed to said position; now, therefore, be it

RESOLVED, that this Board does hereby appoint Ms. Kate Crowley as a Canadice Town Board member effective October 16, 2020 and her execution of the oath of office until the 2021 General Election when the remaining two years of the term will appear on the ballot; and, be it further

RESOLVED, that the Clerk of this board send certified copies of this resolution to Ms. Kate Crowley, the Ontario County Board of Elections and retain a copy in the official Town records.

5. **Resolution Number 72 of 2020** – Authorizing Change Order No. 13 For Canadice Water District No. 1 Project

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, 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 with a substantial completion time frame of 330 days; and
 WHEREAS, Change Orders 1 – 12 approved by this Board have modified the contract to be \$4,781,172.35 with substantial completion to be 458 days; and
 WHEREAS, the project received NYS Department of Health approval as of July 27, 2020, the milestone for substantial completion; and
 WHEREAS, the Contractor and Engineer have reviewed the contract and made adjustments for final quantities and item costs resulting in a reduction of \$24,929.40 in the contract price; now, therefore, be it
RESOLVED, that this Board approves Change Order No. 13 resulting in a final contract price of \$4,756,242.95; and, be it further
RESOLVED, that final adjustments to the retainage withheld and additional monies withheld for liquidated damages will be made when all project costs have been identified and paid with any balance remaining released to the contractor; and, be it further
RESOLVED, that certified copies of this resolution be sent to Kathy Dear from LaBella and Associates, to Fineline Pipeline, Inc. and retain a copy in the project records.

6. Resolution Number 73 of 2020 – Authorization To Execute Contract Amendment #7 For Services Provided By LaBella Associates, D.P.C. Pertaining To The Construction Of Water District No. 1
 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 is currently pursuing the construction of Water District No. 1 along the County Road 36 corridor within the Town; and
 WHEREAS, a referendum was presented to those within the district on August 20, 2011 and approved by the voters; and
 WHEREAS, LaBella Associates, D.P.C has provided services regarding the preparation of the Map, Plan and Report and associated services after the referendum passed to advance the project to the point of receiving funding and in anticipation of construction oversight; and
 WHEREAS, partial funding was obtained from Rural Development and this Board entered into an agreement with LaBella Associates, D.P.C. for the administration of those funds; and
 WHEREAS, additional funding was obtained in the form of grant funds from the Environmental Facilities Corporation; and
 WHEREAS, there are significant requirements and procedures to be followed to access these funds to complete this project; and
 WHEREAS, this Board retained LaBella Associates, D.P.C. for engineering services on this project with Resolution Number 35 of 2014; and
 WHEREAS, this Board also entered into an agreement with LaBella Associates, D.P.C. for Grant Management Services with Resolution Number 19 of 2018 for the project; and
 WHEREAS, construction began on the District with the Order To Proceed issued on May 9, 2018; and
 WHEREAS, the project has encountered construction delays and will require services to continue beyond the

time stated in the original agreements and those approved with Agreement Amendments 1, 2, 3,4, 5 & 6; and WHEREAS, LaBella Associates, D.P.C. has provided contract amendments to enable continuation of the services required to bring the project to completion; now, therefore, be it

RESOLVED, that this Board authorizes the Supervisor to execute contract Amendment #7 with LaBella Associates, D.P.C. for services pertaining to the construction of Canadice Water District No.1; and, be it further

RESOLVED, that the Clerk of this Board send certified copies of this resolution to Mr. Michael Schaffron and Ms. Kathleen Dear both of LaBella Associates, D.P.C. and retain a copy in the records of the Town.

7. Resolution Number 74 of 2020 – Appreciation - Mr. Mark Malmendier

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

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

WHEREAS, Mr. Mark Malmendier, Canadice Town Board Member, submitted his resignation effective October 15, 2020; and

WHEREAS, Mr. Malmendier was appointed to the position of Town Board Member with Resolution Number 25 of 2014 to fill the unexpired term of Michael Virgil who resigned to become the Highway Superintendent; and

WHEREAS, Mr. Malmendier then ran for a full four-year term in 2015; and

WHEREAS, during his term, Mark was invaluable to this Board utilizing his expertise to help guide us through the arduous task of creating and constructing Canadice Water District No. 1 along the County Road 36 corridor in Town; and

WHEREAS, Mr. Malmendier chose not to run in the 2019 election assuming the project would be completed by December 2019; but to the disappointment of all, the project did not get completed by that date; and

WHEREAS, Mark was dedicated to the residents, the Board and the project and wanted to see the project to substantial completion which would allow residents to connect to the system; and

WHEREAS, no other individual chose to be a candidate leaving a vacant position on the ballot in 2019 and with encouragement, Mark ran a successful write in campaign to enable him to remain on the Board and continue to assist with the water project; and

WHEREAS, this Board was EXTREMELY thankful that Mr. Malmendier was on the Board for the project construction and chose to remain until this time; and

WHEREAS, Mr. Malmendier had also previously served as a member of the Planning Board taking a hiatus until joining the Town Board in 2014; and

WHEREAS, Mark has been an integral part of the countless decisions and projects this Board has undertaken during his tenure besides the water project; and

WHEREAS, during his tenure Mr. Malmendier 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. Malmendier has certainly left his mark on the Town of Canadice, its residents, officials,

employees, and the water district; now, therefore, be it
 RESOLVED, that this Board on behalf of the citizens of the Town of Canadice, expresses its appreciation to Mr. Malmendier for his service and dedication to the Town; and, be it further
 RESOLVED, that this Board offers their best wishes to Mr. Mark Malmendier as he enters this new chapter in his life, 'real retirement' and hopes he and his wife Kathy enjoy their free time for many years to come; and, be it further
 RESOLVED, that the Clerk of this Board send a certified copy of this resolution to Mr. Malmendier.

I. PRIVILEGE OF THE FLOOR:

1. Councilman O'Connor questioned why the snow removal contract did not increase for the Naples section. Supervisor Singer indicated Ontario County is cutting back as much as possible in their budget due to Covid-19 funding issues. It was originally scheduled to increase.
2. Councilman Malmendier mentioned Spectrum installed the internet connection into the building.
3. Councilman O'Connor indicated there will be Veteran's services at the Richmond Gazebo November 11th.
4. Mr. Fraser questioned the possibility of installing a dry hydrant somewhere in Town or if there is an update. A location has been identified and the property owner is okay with the request. It may be Ontario County Soil & Water that should be contacted at this point.

J. EXECUTIVE SESSION:

Councilman O'Connor motioned, Councilman Gronwall seconded, and it was unanimously carried to adjourn the regular meeting at 9:19 pm to go into executive session regarding discussion on contract negotiations and the employment history of a particular individual.

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

Councilman Malmendier motioned, Councilman O'Connor seconded, and it was unanimously carried to adjourn the executive session at 9:55 pm and resume the regular meeting.

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

K. ADJOURNMENT:

Councilman Malmendier motioned, Councilman O'Connor seconded, and it was unanimously carried to adjourn the meeting at 9:56 pm.

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

Respectfully submitted, _____ Eileen Schaefer, Town Clerk