

A. CONVOCAATION:

1. The Canadice Town Board Meeting was held on October 11, 2021 at 7:30 pm at the Canadice Town Hall and virtually.

2. Roll call showed the following-

- Present: Supervisor Kristine Singer
- Councilman John O’Connor
- Councilman Mark Statt
- Councilman Teryl Gronwall
- Councilwoman Kate Crowley

Others Present: Twelve (12) guests/residents attended the Regular Town Board Meeting.

3. Salute to the Flag.

4. Approval of September 13, 2021 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 Gronwall motioned, Councilman Statt seconded, and it was unanimously carried to approve the minutes of the September 13, 2021 Regular Town Board Meeting.

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

Approval of September 28, 2021 Budget Workshop 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.

Councilwoman Crowley motioned, Councilman Gronwall seconded, and it was unanimously carried to approve the minutes of the September 28, 2021 Budget Workshop.

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

B. RECONVENE PUBLIC HEARING: To Entertain Comments Pertaining To The Adoption Of Local Law Number 3 (Intro) Of 2021 To Amend The Canadice Town Code To Add Chapter 97 Entitled: Short Term Rental Regulations

*Supervisor Singer indicated the regulation will be Chapter 97 in the code book.

*Councilwoman Crowley commented on several items that were clarified in this update.

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

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

C. PUBLIC HEARING: Regarding A Public Hearing Pertaining To The 2021 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. There were no questions for the Board.

Councilman Statt motioned, Councilwoman Crowley seconded, and it was unanimously carried to close the public hearing.

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

D. CONVENE AS THE CANADICE BOARD OF HEALTH:

Councilman O’Connor motioned, Councilman Gronwall seconded, and it was unanimously carried to recess the Town Board and convene as the Canadice Board of Health.

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

*Supervisor Singer opened the public hearing for the variance request and explained the purpose of the Board convening as the Canadice Board of Health. It was discussed briefly what the situation at 6761 South Old Bald Hill Road is. After the discussion there were no questions.

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

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

1. Resolution Number 58 of 2021 – Approving Septic Placement Variance Request For 6761 South Old Bald Hill Road

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

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

WHEREAS, the Town of Canadice Municipal Code Chapter 92 contains the requirements for Septic Systems installed or repaired within the Town; and

WHEREAS, said code states that the Canadice Town Board of Health must review and approve any requested variances to these rules and regulation; and

WHEREAS, Mr. Stephen Smith, Canadice Code Enforcement Officer has referred the plans for a new system to be installed at 6761 South Old Bald Road for review and variance approval or denial; and

WHEREAS, detailed construction plans for the new system were provided by the engineer, Mr. William Grove; and

WHEREAS, §92-8 C of the Canadice Municipal Code states that a public hearing is to be held with required legal postings;

WHEREAS, a Public Hearing was duly held on October 11, 2021 at the Canadice Town Hall at 7:30 pm, and all parties in attendance per permitted an opportunity to speak on behalf or in opposition to said variance, or any part thereof; and

WHEREAS, the Town Board convening as the Canadice Board of Health reviewed the submitted plans and after due deliberation, found the proposed system to meet or exceed state codes; now, therefore, be it

RESOLVED, that this Board approves the installation of the system in accordance with the plans provided; and, be it further

RESOLVED, that the Clerk of this Board send certified copies of this resolution to Fred Wagner, 6761 South Old Bald Hill Road, Springwater, NY 14560, Mr. William Grove of Grove Engineering, 8677 State Route 53, Naples, NY 14512 and Stephen Smith, Canadice Code Enforcement Officer.

2. **Resolution Number 59 of 2021** – Setting, Date Place And Time For A Public Hearing To Entertain Comments Pertaining To A Septic Placement Variance Request For 6929 County Road 37
Councilman O’Connor motioned, Councilman Statt seconded, and it was unanimously carried to approve the resolution.

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

WHEREAS, the Town of Canadice Municipal Code Chapter 92 contains the requirements for Septic Systems installed or repaired within the Town; and
WHEREAS, said code states that the Canadice Town Board of Health must review and approve any requested variances to these rules and regulations; and
WHEREAS, Mr. Stephen Smith, Canadice Code Enforcement Officer, has referred the plans for a new system to be installed at 6929 County Road 37 for review and variance approval; and
WHEREAS, §92-8 C of the Canadice Municipal Code states that a public hearing is to be held with required legal postings; now, therefore, be it

RESOLVED, that this Board will conduct a public hearing to entertain comments pertaining to said variance request at 7:30 pm on November 8, 2021 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, issue a property sign to the owner for posting in accordance with Chapter 92, §92-8 C and send copies of this resolution to Timothy Panipinto, 6929 County Road 37, Springwater, NY 14560, Mr. William Grove of Grove Engineering, 8677 State Route 53, Naples, NY 14512 and Stephen Smith, Canadice Code Enforcement Officer.

Councilman Statt motioned, Councilwoman Crowley seconded, and it was unanimously carried to close as the Canadice Board of Health and reconvene as the Town Board.

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

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

F. COMMUNICATIONS:

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

G. 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 O’Connor motioned, Councilwoman Crowley seconded, and it was unanimously carried to

accept the Town Clerk/Tax Collector's report.

APPROVED Ayes 5 Singer, O'Connor, Statt, Gronwall, Crowley
 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 O'Connor reported nothing had changed at 5888 St Rt 15A other than the fill that was brought in.

4. Planning Board- Mr. Theodore Mayhood.
 - a. Draft minutes were submitted to the Town Board (see T. C. file).
 - b. Met with the owners of Backus Backyard Creations and the Planning Board is waiting for the completed application.

5. Zoning Board of Appeals- Mrs. Linda Moorhouse.
 - a. No report.

6. Highway Superintendent- Mr. Jeremy Fraim.
 - a. The written report for the month of September was submitted (see T. C. file).
 - b. Middle Road and Middle Road North shoulders are rebuilt with crushed gravel.
 - c. Poured some concrete culvert headwalls for pipe replacements for Cratsley Hill Road and Lower Holmes Road.
 - d. On Canadice Lake Road gravel was cleaned from several streams and fixed the concrete catch basin and outlet for one of the cross culverts.
 - e. The contractor that received the bid for road striping is having issues getting the paint.
 - f. Councilman O'Connor wanted to congratulate Superintendent Fraim and the highway employees on the job they have done on the Town roads this year. Also Springwater is getting a new grader, would we be able to borrow it. Superintendent Fraim indicated he is still borrowing Naples grader.

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. Last week there was a whole lake blue-green algae bloom. Today Honeoye Lake appeared to be in its fall clearing pattern.
 - c. The weed harvesting program has ended for the season. They did have issues getting enough staff.
 - d. The first draft document from Princeton Hydro is being reviewed. A Zoom meeting with Princeton Hydro and our local aeration committee will be scheduled to review the system design, costs and benefits.

8. Assessor- Mrs. Lisa M. Bennett
 - a. No report.

9. Water District Operations –

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

10. Special Reports – No special reports.

11. Supervisor- Ms. Kristine Singer.

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

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

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

b. Budget Transfers:

| <u>FROM</u> | <u>TO</u> | <u>AMOUNT</u> | <u>PURPOSE</u> |
|-------------|-----------|---------------|--|
| A1220.4 | A1340.4 | \$ 750.00 | Expenditures greater than budgeted amount. |
| A1990.4 | A1680.4 | \$ 1,000.00 | Expenditures greater than budgeted amount. |

Councilman Statt motioned, Councilwoman Crowley seconded, and it was unanimously carried to approve the budget transfers.

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

c. **Resolution Number 60 of 2021** – Budget Modification

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

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

WHEREAS, the Budget Officer has received or will receive funds in excess of budgeted amounts from Ontario County for Roadside Mowing; and

WHEREAS, the appropriation line for personal services for Brush and Weeds has exceeded originally budgeted amounts in the Highway Fund; and

WHEREAS, the expenses are related to roadside mowing; now, therefore, be it

RESOLVED, that this Board directs the Budget Officer to make the following 2021 budget modifications:

Revenues

Increase DA2300, Services to Other Governments by \$5,000.00

Expenditures

Increase DA5140.1, Brush & Weeds, PS \$5,000.00

H. UNFINISHED BUSINESS:

1. Resolution Number 61 of 2021 – Declaration Of No Negative Environmental Impacts Resulting Directly From The Adoption Of Local Law Number 2(Intro) Of 2021 Entitled: Short Term Rental Regulations

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

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

WHEREAS, this Board determined that it is in the best interest of the Town of Canadice to pursue the adoption of Short Term Rental Regulations within the Town; and
WHEREAS, the adoption of the said regulations may be deemed an Unlisted Action pursuant to the New York State Environmental Quality Review Act (SEQR); and
WHEREAS, in accordance with said regulations this Board, acting as Lead Agency, conducted a SEQR hearing on August 9, 2021 to entertain comments pertaining to SEQR issues relating to the adoption of said law; and
WHEREAS, an Environmental Assessment Form (EAF) and a copy of the proposed law was sent to all involved and interested agencies requesting comments by or before August 9, 2021; and
WHEREAS, no negative comments were received or presented at said hearing in regards to SEQR issues, now, therefore, be it
RESOLVED, that this Board declares that there will be no negative environmental impacts resulting directly from the adoption of the law; and, be it further;
RESOLVED, that the Clerk of this Board retain a copy of this resolution with the Town file copy of the Local Law.

2. Resolution Number 62 of 2021 – Adopting Local Law Number 2 (intro) of 2021 To Amend the Canadice Town Code to Add Chapter 97 Entitled: Short Term Rental Regulations

*Mr. Mayhood wanted to thank Councilwoman Crowley who was previously a member of the Planning Board for all of her help in drafting the local law and Planning Board member Caitlin McCumiskey. Councilwoman Crowley motioned, Councilman O’Connor seconded, and it was unanimously carried to approve the resolution.

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

WHEREAS, a Resolution was duly adopted by the Town Board of the Town of Canadice on the 12th day of July, 2021, calling for a Public Hearing to be held by the Canadice Town Board on the 9th day of August, 2021, at the Canadice Town Hall, located at 5949 County Road 37, Springwater, New York, at 7:30 PM, to hear all interested parties on the proposed Local Law; and
WHEREAS, the Notice of said Public Hearing was duly advertised in accordance with law; and
WHEREAS, said Public Hearing was duly held at the Canadice Town Hall on the 9th day of August, 2021, 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 parts thereof; and
WHEREAS, said Public Hearing was recessed to allow review by the Ontario County Planning Board and the Town Attorney; and
WHEREAS, the proposed Local Law was referred to and reviewed by the Ontario County Planning Board pursuant to §239-m of New York State’s General Municipal Law and the suggestions of that Board were accepted; and
WHEREAS, the Town determined that the adoption of the proposed Local Law is an Unlisted Action subject to review under the New York State Environmental Quality Review Act (“SEQRA”), designated themselves as Lead Agency for purposes of SEQR review with Resolution 45 of 2021; and
WHEREAS, the Lead Agency caused the completion of an Environmental Assessment Form for the careful

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

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

WHEREAS, the Budget Officer prepared the 2022 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 28, 2021; and

WHEREAS, based on the input provided at said workshop, the Budget Officer prepared the 2022 Proposed Budget; and

WHEREAS, the Budget was further reviewed at the regular Town Board meeting on October 11, 2021 resulting in additional adjustments; now, therefore, be it

RESOLVED, that this Board will conduct a Public Hearing to hear comments pertaining to the 2022 Proposed Budget, Monday, November 8, 2021 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 a public notice of said public hearing in the official newspaper of the Town at least five (5) days prior thereto.

I. NEW BUSINESS:

1. Resolution Number 65 of 2021 – Reappointment Of Diane Horning To The Board Of Assessment Review

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

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

WHEREAS, the term for Assessment Review Board Member Mrs. Diane Horning expired on September 30, 2021; and

WHEREAS, Mrs. Horning has indicated her desire to be reappointed to the Board of Assessment Review; and

WHEREAS, this Board, after due deliberation, agrees that Mrs. Horning has been and will continue to be an asset to the Assessment Review Board and is pleased that Mrs. Horning wishes to be reappointed to said Board; now, therefore, be it

RESOLVED, that this Board does hereby reappoint Mrs. Diane Horning to the Town of Canadice Assessment Review Board to a term that will expire on September 30, 2026; and, be it further

RESOLVED, that the Clerk of this Board send certified copies of this resolution to Mrs. Diane Horning, and Ontario County Real Property Tax Services.

2. Approval of the Bills –

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

ABSTRACT #10 for 2021-

| | | |
|-------------------------|--------------|--------------|
| | Voucher | |
| General/Highway Account | #383 to #421 | \$150,669.65 |
| Trust & Agency | #14 to #15 | \$ 2,861.99 |

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

J. PRIVILEGE OF THE FLOOR:

1. Councilman Statt received a letter from residents on S Old Bald Hill Road to have the speed limit reduced to 45 mph.

*Mr. Fred Wagner mentioned since the road was striped, cars are driving much faster.

*Mr. Christian Mazzola commented he noticed N Old Bald Hill Road has a speed limit of 45 mph. S Old Bald Hill Road is no longer being used as a secondary road. The slopes are much steeper and there is nothing to stop a vehicle that might go off of the road.

*Councilman O’Connor indicated the Town of Livonia posted the 45 mph on their end of N Old Bald Hill Road, but it looks like Canadice has the same speed limit even though it isn’t.

*Mr. Ralph Charlton indicated 37 signatures were secured to support this request. He seconds all of the opinions that have been expressed.

*Supervisor Singer will take a copy of the petition and bring a resolution forward to request the change in speed. NYS has to make determination even if it’s a Town road.

*Mr. Mazzola also brought up the issue of big trucks using S Old Bald Hill Road instead of 15A.

*Councilman Gronwall questioned if it should be pursued to change the speed limit on the Canadice side of N Old Bald Hill Road. Councilman O’Connor indicated there isn’t much speeding that takes place.

2. Councilman Statt questioned the status of the Historian’s house. Supervisor Singer indicated the furniture still needed to find a home. It was suggested to move it into the garage for now.

K. EXECUTIVE SESSION:

Councilman O’Connor motioned, Councilman Statt seconded, and it was unanimously carried to adjourn the regular meeting at 8:29 pm to go into executive session to discuss employment.

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

Councilman O’Connor motioned, Councilman Gronwall seconded, and it was unanimously carried to adjourn the executive session at 9:05 pm and resume the regular meeting with no action taken.

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

L. ADJOURNMENT:

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

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

Respectfully submitted, _____ Eileen Schaefer, Town Clerk