

A. CONVOCAATION:

1. The Canadice Town Board Meeting was held on December 14, 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 Teryl Gronwall
- Councilwoman Kate Crowley

Others Present: Six (6) guests/residents attended virtually and in person for the Regular Town Board Meeting.

3. Salute to the Flag.

4. Approval of November 9, 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 O’Connor motioned, Councilman Gronwall seconded, and it was unanimously carried to approve the minutes of the November 9, 2020 Regular Town Board Meeting.

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

With the following correction: Pg. 3, #7, c, boats are in winter storage.

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

C. 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 pointed out the information from PathStone regarding the possibility of manufactured home grants or loan assistance.

*Supervisor Singer also mentioned the calendars from Aqua Store we received that show an aerial picture of the Canadice water storage tank.

D. REPORTS:

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

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

Councilman O’Connor motioned, Councilman Statt 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 months of October and November were 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. Supervisor Singer mentioned some of the State regulations for large scale solar systems have started to become available.
 - c. Mr. Mayhood had some questions regarding submitting a site plan application for the Geartz application for the mobile home park. Supervisor Singer indicated she would contact our attorney to confirm whether a site plan application is needed.

- 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 November was submitted (see T. C. file).
 - b. Borrowed the grader from the Town of Naples again; regraded and compacted the dirt portion of Canadice Hill Rd.
 - c. Replaced various faded and/or outdated traffic signs.
 - d. Completed the drainage work that was requested by the Water District at the pump station. We installed water valve delineations at six locations. Soil erosion concerns have been addressed at the tank site and the existing silt fence has been repaired as requested. Supervisor Singer indicated the Highway Department is completing some of the work remaining that Fineline is responsible for. Also, Beth from Fineline has been taking care of some of the outstanding issues.
 - e. Councilman O’Connor questioned if doors would be installed on the new equipment building right away. Superintendent Fraim indicated he is waiting until the concrete floor is completed in the spring.
 - f. **Resolution Number 84 of 2020** – Update of the Five-Year Capital Improvement Program Of The Town Of Canadice Town Roads And Authorization To Execute 284 Agreement With The Canadice Highway Superintendent
 Councilman Gronwall 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, this Board, by adoption of Resolution Number 61 of 1993, established an ongoing five-year Capital Improvement Program for the Betterment of Town of Canadice Roads; and
 WHEREAS, said resolution states the list of projects shall be updated and adopted by resolution each calendar year; and
 WHEREAS, §284 of the New York State Highway Law requires an agreement between the Town Board and Highway Superintendent to expend moneys received through the levy, State Aid and other sources and;

WHEREAS, the Highway Superintendent has submitted a revised five-year plan and completed the 284 Agreement relative to the expenditure of 2021 monies for approval; now, therefore, be it RESOLVED, that this Board does hereby approve the following list of rebuild projects to be performed on Town roads during the years 2021 through 2025:

2021

- *Middle Road 1.36 miles from Curtis Road south to County Road 37 – Replace remaining cross culverts, regrind & profile using cold in place recycle and surface with a single shot of oil and stone.
- *N. Middle Road 1.1 miles from Curtis Road north to Richmond town line – Regrind & profile and surface with a cold mix pave and seal with a single shot of oil and stone. Replace culverts as necessary.
- *Johnson Hill Road 1.12 miles from County Road 37 to S. Old Bald Hill Road – Surface treat last year’s project with a second shot of oil and stone to preserve.

2022

- *Cratsley Hill Road 1.22 miles from County Road 37 to County Road 36 – Replace cross culverts, reprofile road, reconstruct shoulders and surface treat with a single shot of oil and stone.
- *Uthe Road .28 of a mile from Cratsley Hill Road to the dead end. Cold mix pave with recycled asphalt millings and a single shot of oil and stone.

2023

- *Tibbals Road 1.07 miles from Canadice Hill Road to Ross Road – Reprofile road with cold mix pave, reconstruct shoulders and surface treat with a single shot of oil and stone.
- *Canadice Hill Road .75 of a mile from Pepper Hill Road to Tibbals Road, remove poor draining base material and rebuild with new gravel.

2024

- *Canadice Hill Road 1.32 miles from Ross Road south to 6946 Canadice Hill Road, “Upland Bog”, cut in weeps as necessary, reprofile/grind road with crusher run and calcium, surface treat with two shots of oil and stone.

2025

- *Canadice Hill Road 1.04 miles from Upland Bog to Tibbals Road, cut in weeps as necessary, reprofile/grind road with crusher run and calcium, surface treat with two shots of oil and stone.

And, be it further

RESOLVED, that this Board approves the 284 Agreement as submitted by the Highway Superintendent and authorizes the execution thereof; and, be it further

RESOLVED, that the five-year plan as submitted is accepted as presented with the addition of the 2025 project and amendments to the plan as noted and included in this resolution carried forward from the 2020 approved plan; and, be it further

RESOLVED, that the Clerk of this Board and the Highway Superintendent maintain a copy of this resolution with Resolution Number 61 of 1993 in a file within their respective offices.

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

- a. The written report for the month of November was submitted (see T.C. file).
- b. Waiting for safe ice cover to resume lake monitoring.
- c. 2020 water quality data collected is being analyzed. The months of May through July 2020 had the best water quality seen in the last 17 years.
- d. The Winter 2021 HLWTF newsletter is being worked on and will be released in February 2021.

8. Assessor- Mrs. Lisa M. Bennett

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

9. Water District Project –

- a. Monthly Operations Report submitted (see T.C. file).

b. **Resolution Number 85 of 2020** – Authorization To Accept Proposal From Harris Beach, PLLC, To Amend Bond Counsel Services Agreement

Councilwoman Crowley 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, this Board has been constructing a water district 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, this Board accepted a proposal from Harris Beach, PLLC in 2014 to provide Bond Counsel Services; and

WHEREAS, the original proposal assumed the need for Bond Counsel services for one BAN and then final Bonding; and

WHEREAS, the project has encountered numerous difficulties requiring two additional BAN closings and will need two separate BOND closings to bring the project to completion which will increase the fees for said services; now, therefore, be it

RESOLVED, that this Board authorizes the Supervisor to execute the amended engagement letter for Bond Counsel services from Harris Beach, PLLC 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 Alex Neubert at Harris, Beach, PLCC, Ms. Sheila Chalifoux, Esq., Mr. Michael Schaffron and Ms. Kathleen Dear both of LaBella Associates, D.P.C. and retain a copy in the records of the Town.

10. Supervisor- Ms. Kristine Singer.

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

Councilman Gronwall motioned, Councilwoman Crowley 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. **Resolution Number 86 of 2020** – Repayment Of Funds Advanced By The General Fund To The Capital Project Constructing Canadice Water District No. 1

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, this Board approved pursuing the construction of Water District No. 1 along the County Road 36 corridor within the Town in 2009; and

WHEREAS, expenses incurred for the creation of a special district were tracked and are to be paid by those that benefit from the services of said district once approved and funding obtained; and

WHEREAS, expenses totaling \$561,230 were incurred over several years during the development of the construction project and paid by the General Fund carried as a loan receivable in the Fund; and

WHEREAS, those expenses are qualified to be reimbursed to the General Fund now that the District is near completion and funding has been approved; now, therefore, be it

RESOLVED, that this Board approve the repayment of \$561,230 from the Water District Capital Project to the General Fund; and, be it further

RESOLVED, that the Budget Officer is to make the necessary bookkeeping entries and transfers to clear this loan from the books; and, be it further

RESOLVED, that the Clerk of this Board provide a certified copy of this resolution to the Supervisor for inclusion in the financial records and retain a copy in the records of the Town.

c. Resolution Number 87 of 2020 – Establishing An Interfund Loan For The Construction Of The Highway Cold Storage Shed

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 Town received approval of a grant in the amount of \$258,050 from New York State for the construction of a cold storage shed; and

WHEREAS, the grant is a reimbursement grant and the funds need to be expended by the Town with documentation provided to New York State after being incurred to receive the funds; and

WHEREAS, a project budget was approved by this Board based on the receipt of those grant funds, however, an interfund loan is necessary to cover expenses until the reimbursement is received and a transfer to cover the Town’s share required by the grant; and

WHEREAS, there are now sufficient funds existing in the General Fund after the interfund loan to the Water District Capital Project has been repaid; now, therefore, be it

RESOLVED, that this Board approves an interfund loan of \$258,050.00 to H2, Cold Storage Capital Project from the General Fund, \$258,050.00 as an interfund loan and \$49,193.00 as a transfer to cover the Town’s share of the project; and, be it further

RESOLVED, that the Budget Officer is to make the necessary bookkeeping entries and transfers to document this loan; and, be it further

RESOLVED, that the Clerk of this Board provide a certified copy of this resolution to the Supervisor for inclusion in the financial records and retain a copy in the records of the Town.

E. UNFINISHED BUSINESS:

1. Discussion of Short-Term Rental Code Amendment Draft – previously distributed.

*Councilman O’Connor commented on pg 3, B -should there be a fire exit for the second floor or attic so there are two points of egress.

*Councilwoman Crowley questioned pg 2, #4 – under the required permit section, when would the applicant know if the permit is approved or denied? Should that timeframe be included? Burch Craig indicated he didn’t think it needed to be included. Supervisor Singer felt wording could be included – once all inspections are completed the permit would be issued.

*Councilwoman Crowley mentioned her comments on the quite hours- for pg. 5 must observe quite hours. Councilman O’Connor feels the quiet hours being observed should be included in the rental agreement. Mr. Mayhood indicated the quite hours issue might need to be looked at by our attorney. Mr. Craig indicated using “must” observe should be sufficient. Mr. Mayhood pointed out pg. 8 addresses grounds for suspending the permit.

F. NEW BUSINESS:

1. Resolution Number 88 of 2020 – Authorization For Canandaigua National Bank To Act As Agent For The Town Of Canadice To Accept 2021 Town And County Tax Bills

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 Town Board of the Town of Canadice approves Canandaigua National Bank to act as an agent for the Town of Canadice and collect Town and County Taxes for the year 2021 during the month of January; and

WHEREAS, Canandaigua National Bank will accept tax bills from January 2nd through January 30th, full payments only (no installment payments) and will deposit these payments to the Town of Canadice Tax Collector Account on the following business day and notify the collector with an itemized listing of taxes received; and

WHEREAS, there will be no charge to the Town for this service; and

WHEREAS, Canadice Town Tax Collector, Eileen Schaefer, will be responsible for any check that is returned for any reason; now, therefore, be it

RESOLVED, that Canandaigua National Bank will be accepting tax bills for the Town of Canadice during the month of January 2021 with no expense to the Town; and, be it further

RESOLVED, that these monies will be deposited in the Town of Canadice Tax collector's savings account with no expense to the Town and the bank will notify the town the following day with an itemized listing; and, be it further

RESOLVED, that the Clerk of this Board send a certified copy of this resolution to Canandaigua National Bank and retain a copy in the official Town records.

2. Resolution Number 89 of 2020 – Reappointment Of Renee Boone To The Town Zoning Board Of Appeals

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, the term of Zoning Board of Appeals member Ms. Renee Boone expires on December 31, 2020; and

WHEREAS, Ms. Boone has indicated that she would like to remain on the Zoning Board of Appeals; and WHEREAS, this Board after due deliberation agrees that Ms. Boone has been and will continue to be an asset to the Zoning Board of Appeals and is pleased that Ms. Boone wishes to be reappointed to said Board; now, therefore, be it

RESOLVED, that this Board does hereby reappoint Ms. Renee Boone to the Town of Canadice Zoning Board of Appeals commencing January 1, 2021 and terminating on December 31, 2025; and, be it further RESOLVED, that the Clerk of this Board send certified copies of this resolution to Ms. Boone, the Secretary of the Zoning Board of Appeals and retain a copy in the Town records.

3. **Resolution Number 90 of 2020** – Reappointment Of Theodore Mayhood To The Town Planning Board 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, the term of Planning Board Member Theodore Mayhood expires on December 31, 2020; and WHEREAS, Mr. Mayhood has indicated that he would like to remain a member of the Canadice Planning Board; and

WHEREAS, the Planning Board has recommended to the Town Board the reappointment of Mr. Mayhood to the Town Planning Board for the term commencing January 1, 2021; and

WHEREAS, this Board after due deliberation agrees that Mr. Mayhood will continue to be an asset to the Planning Board and is pleased that he wishes to continue in said position; now, therefore, be it RESOLVED, that this Board does hereby reappoint Mr. Theodore Mayhood to the Canadice Planning Board commencing January 1, 2021 and terminating on December 31, 2027; and, be it further RESOLVED, that the Clerk of this Board send certified copies of this resolution to Mr. Mayhood and the Secretary of the Planning Board.

4. **Resolution Number 91 of 2020** – Authorization To Execute An Agreement With Ontario County For Dog Control Services

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, it has been determined by this Board that it is in the best interest of the Town to contract with Ontario County for dog control services; and

WHEREAS, this Board agrees to the terms set forth in the contract provided by Ontario County for the year 2021; 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 the Supervisor execute the contract in accordance with the County’s electronic contract management program along with submitting a certified copy of this resolution; and, be it further

RESOLVED, that upon the signing of said agreement by the duly authorized Ontario County representative and approval of the Office of the Ontario County Attorney, one copy of said agreement shall be returned to Canadice through the contract management system for filing in the Town records.

5. Resolution Number 92 of 2020 – Superseding And Replacing Existing Records Retention Schedules With The Adoption Of Records Retention Schedule LGS-1

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

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

WHEREAS, as of January 1, 2021 the old records retention schedules - the CO-2, the MU-1, the ED-1 and the MI-1 - will no longer be valid and governments cannot legally dispose of records using them.

RESOLVED, by the Canadice Town Board of the Town of Canadice, Ontario County, that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;

b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

RESOLVED, that the Clerk of this Board retain a copy of this resolution and the LGS-1 Records Retention Schedule in the Town records.

6. Resolution Number 93 of 2020 – Setting Date, Place and Time For The 2021 Town Of Canadice Organizational Meeting

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

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

WHEREAS, Town Law requires that the Town Board hold an Organizational Meeting at the beginning of each fiscal year; now, therefore, be it

RESOLVED, that the organizational meeting for the Town of Canadice for the year 2021 will be held at the Canadice Town Hall, 5949 County Road #37 in the Town of Canadice on the 11th day of January 2021 at 7:30 pm for the organization of the Board and for such other business as may be presented to the Board; and, be it further

RESOLVED, that the Town Clerk publish a public notice in the official newspaper of the Town of said meeting in accordance with Town Law.

7. Resolution Number 94 of 2020 – Authorization To Execute An Intermunicipal Agreement With The Town Of Richmond For The Recreation Program, 2020

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 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 \$5,000.00 to the Town of Richmond Recreation Program for 2020 adjusted from the budget after the impacts of the pandemic; 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 the Clerk of this Board send a certified copy of this resolution to the Town of Richmond along with the executed copy of the agreement and retain a copy of said agreement in the official records.

8. Resolution Number 95 of 2020 –2020 Budget Modification Authorization

Councilwoman Crowley 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 has indicated that there may be the need to make transfers between lines to resolve negative balances in appropriation lines after payroll number 27 is processed and other necessary adjustments after the review of all account ledgers to enable closing the 2020 books; and

WHEREAS, the Budget Officer has determined that there will not be a need to increase the overall budget since there remains sufficient balances in other lines to cover any potential adjustments; now, therefore, be it

RESOLVED, that this Board directs the Budget Officer to make any necessary transfers between appropriation lines to resolve any negative balances for the 2020 books as long as the total Town budget amounts by fund are not impacted beyond any modifications approved by this Board as of this date to close the 2020 budget year.

9. 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 #12 for 2020-

	Voucher	
General/Highway Account	#472 to 541	\$129,163.16
Trust & Agency	#15	\$ 191.80

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

G. PRIVILEGE OF THE FLOOR:

1. Supervisor Singer indicated there will be no employee luncheon for the holiday this year due to Covid-19 restrictions.

2. Supervisor Singer wished everyone a Happy Holiday Season.

H. ADJOURNMENT:

Councilman O'Connor motioned, Councilman Statt seconded, and it was unanimously carried to adjourn the meeting at 8:28 pm.

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

Respectfully submitted, _____ Eileen Schaefer, Town Clerk