

Canandaigua Town Board
Regular Meeting
April 21, 2009
6:30 pm

Present: Oksana Fuller	Councilperson
David Dawson	Councilperson necessarily absent
Marion Cassie	Councilperson
Ralph Brandt	Deputy Supervisor
Jim Hecker	Highway Superintendent
Ron Brand	Planning Consultant
Carol Maue	Attorney for the Town

Others present: Patrick Burns, Dennis Brewer, Jeff Winner, Bob Mincer, Tom/Lori Knapp, Jim DeMay, Pat VanDyne, Brenda Kapperan, Terry Fennelly, P.Herbik, Jack Kellogg, Karen Parkhurst, John Miller, Kevin Rekynolds, JoAnn O'Brien, Lloyd Lill, Reid Hankin, Kathleen Lowe, Kelly Cloyd, Dennis Money, Matt Knopf and others who did not sign in or were not legible.

A motion was made by Councilperson Cassie, seconded by Councilperson Fuller to move into executive to discuss acquisition of land at 6:30 pm.

3 ayes: Fuller, Cassie, Brandt

The board moved out of executive session at 7:00 pm

Deputy Supervisor Brandt convened the meeting at 7:00 pm and made the following statement: That he will be the acting Supervisor and conducting the meeting. The board as a whole and the Town are deeply saddened by the events of the past week. We wish the Kinnear family the best. To let the Town residents know we will conduct business as usual. We will do every appropriate action that needs to take place. We have not made any decisions on what will take place as far as a replacement. We will not be discussing a replacement tonight.

Pledge

A motion was made by Councilperson Cassie, seconded by Councilperson Fuller to waive the reading of the minutes of April 7, 2009.

3 ayes: Fuller, Cassie, Brandt

All those in favor of adopting the minutes of April 7, 2009 as written.

3 ayes: Fuller, Cassie, Brandt

A motion was made by Councilperson Cassie, seconded by Councilperson Fuller that after audit and review of the bills abstract #7 \$78,843.61 general fund, highway fund \$25,951.15, \$61,181.55 water fund, \$797.44 Fox Ridge lighting, \$102.77 Centerpoint lighting, \$97.65 Fallbrook Meadow lighting that the bills be paid.

3 ayes: Fuller, Cassie, Brandt

A motion was made by Councilperson Cassie, seconded by Councilperson Fuller that the pass through/charge back charges dated 4/20/09 on file in Planning and Zoning be approved.

3 ayes: Fuller, Cassie, Brandt

PRIVILEGE OF THE FLOOR

Lewis Smith withdrew his request for privilege of the floor.

PRIORITY BUSINESS

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None

TABLED RESOLUTION: FROM 2/13/09

Remained on the table, will be placed in folder.

2. The following resolution was moved by Councilperson, seconded by Councilperson,

CANANDAIGUA TOWN BOARD RESOLUTION
ESTABLISHING FORMAL ADOPTION PROCESS
AMENDMENT TO CHAPTER 24 OF TOWN CODE

WHEREAS, the Canandaigua Town Board (hereinafter referred to as Town Board) has received a draft local law amending Chapter 24, Section 24-6. O., Park Use Regulations, of the Town Code from the Town Code Committee; and

WHEREAS, the Town Board desires to give formal consideration to said amendment.

NOW, THEREFORE BE IT RESOLVED that the Town Board does hereby authorize a public hearing be scheduled on said text amendment to be held on Tuesday, March 17, 2009 commencing at 7:00 p.m., in the public meeting room, in the Town Hall.

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BE IT FURTHER RESOLVED that a copy of said local law be forwarded to the Town Parks & Recreation Committee for their review and comment prior to the public hearing date established above herein.

BE IT FURTHER RESOLVED that the Town Planner is directed to prepare a draft determination of significance on said text amendment as provided for under the State Environmental Quality Review (SEQR) Regulations.

BE IT FINALLY RESOLVED that the Town Clerk is hereby directed to publish a legal notice of said public hearing in the Town's Official Newspaper, in accordance with the provisions of New York State Town Law.

After discussion thereon, the following roll call vote was taken and recorded in the Town Board record for said meeting.

FROM 3/17/09 and 4/7/09

*A motion to reword the "2009 Fee Schedule" on page 3 to simply read "home occupation".

Motion made by Councilperson Cassie, seconded by Councilperson Fuller to bring the above motion off the table.

3 ayes: Fuller, Cassie, Brandt

Discussion

Motion moved made by Councilperson Cassie, seconded by Councilperson Fuller *

3 nays: Cassie, Fuller, Brandt

PRESENTATION OF PETITIONS, COMMUNICATIONS, AND CORRESPONDENCE

- Monthly Report from City of Canandaigua Fire Rescue March 2009
- Invitation from the City to the Dedication Ceremony for the Northeast Park
- Update letter from the US Census Bureau
- Cornell Cooperative Extension Newsletter "Inside the Dirt" April 2009
- Donation request from Happiness House
- RG&E News Release urging customer to be safe during outdoor spring activities
- Canandaigua Lake Watershed Resource Council Meeting Minutes - February 3, 2009
- Certificate of Environmental Accomplish –"Shred-it"

HIGHWAY REPORT

1. A demo mower was outside so that Board members could see it. Research will have to be done on funding for the mower.
2. Pre-construction meeting for the Deuel Rd. bridge re-construction will be held on 4/29.
3. Received the permit from the Army Cor of Engineers for the Buffalo St. Ext. culvert.

Attorney Maue - would like to create standardized language for easements. It was the general consensus of the board to allow her to do this.

PLANNING DEPARTMENT

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Ron Brand - thanked Ontario County Soil & Water and Greg Hotaling and Dan O'Bine for their help in research for the Purdy Rd. Sewer District grant. The Town has received an additional 9 surveys from the residents.

ASSESSOR'S REPORT

The 2009 tentative roll will be filed May 1, 2009

REPORT OF STANDING COMMITTEES

Codes committee - Oksana Fuller

working on administrative review local law
reviewed the draft on the shoreline guide lines
next meeting May 7th, @7:30 am

Acting Supervisor Brandt - corrected his statement that he made at the last meeting and that the codes committee will be an open meeting. It is an open meeting due to the way the committee was formed.

Fire committee - no report

Insurance committee - no report

REPORT OF SPECIAL COMMITTEES AND/OR COMMISSIONS

Park and Recreation - Reid Hankin

Sent out the proposal for canoes and kayaks at Onanda Park for various people to review. Have received comments back and the committee will be reviewing these. It was felt that the rules and regulations should be known before the Town goes and talks to the DEC to get their approval for this use at Onanda. Will wait for a proposal from the committee.

Dennis Brewer - showed pictures of playground equipment that he would like to purchase for Onanda. Motion will follow on 5/5/09

Trails Committee - Dennis Brewer

Joe Pro from Old Brookside was at the last committee meeting and he said there was interest in having trails around Old Brookside. The committee will investigate this.

Will be walking the "peanut line". Attorney Maue will begin the final phase of closure on the "peanut line".

Priscilla Herbig - read a draft memo addressed to Bill Wright - DOT, asking him to consider shoulder and drainage ditch improvements along County Rd. 16. They may be doing road work on the northern portion of the road. By consensus of the board Ron Brand will write a letter to Bill Wright regarding this subject.

Comprehensive Plan - Oksana Fuller

Have appointed Ken Naples and Terrance Robinson to the committee representing the Ag community and the north end of Town respectively.

SUPERVISOR'S REPORT

- Meeting with County and School District Representatives regarding Certiorari Actions
- Meeting with Hick's Family regarding PDR
- Canandaigua Watershed Council Meeting

Councilperson Cassie - discussed a memo received from Kevin Olvany, Canandaigua Watershed Council, regarding a 38 million grant announcement from Governor Paterson for drinking water and sewage treatment projects. Kevin asked Towns to think about projects that their towns could use this money for.

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Ron Brand, Councilperson Cassie and Jim Hecker will get together to discuss possible projects in the Town.

Councilperson Cassie - gave a report on the meeting she attended on FLCC public access tv and the Time Warner franchise agreement. Videos could be made of town meetings, training sessions, etc. and if they were taken to FLCC they would have to be put on the cable station.

Discussion followed on the Time Warner contract and their franchise fees. It was the consensus of the board that an inter-municipal agreement with surrounding communities and Time Warner would be beneficial.

RESOLUTIONS:

1. A motion was made by Councilperson Cassie, seconded by Councilperson Fuller to allow Thomas Knapp, Thomas Schwartz, and Pat VanDyne to attend the G/FLRPC Spring Government Workshop on May 15, 2009 at a cost of \$40 per person.

3 ayes: Fuller, Cassie, Brandt

2. A motion was made by Councilperson Cassie, seconded by Councilperson Fuller, to allow Judge Prull to attend the 16th Annual Southern Tier West Conference on May 6, 2009 at an approximate cost of \$115.00

3 ayes: Fuller, Cassie, Brandt

A motion was made by Councilperson Cassie, seconded by Councilperson Fuller to move into executive session to discuss employment history of an employee and attorney/client privilege and land acquisition at 8:40 pm

3 ayes: Fuller, Cassie, Brandt

The board moved out of executive session at 10:12 pm.

The meeting was adjourned at 10:12pm.

Judith H. Carson
Town Clerk