

Canandaigua Town Board
Regular Meeting
October 20, 2009
7:00 pm

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

Others present: Tom/Lori Knapp, Pat VanDyne, Jim Fletcher, John Miller, Kevin Reynolds, Jack Kellogg, Terry Fennelly, Reid Hankin, and others who did not sign in.

Supervisor Fralick opened the meeting at 7:00 pm.

A motion was made by Councilman Brandt, seconded by Councilperson Cassie to suspend with the reading of the minutes of 10/6/09 and 10/13/09.

4 ayes: Fuller, Cassie, Brandt, Fralick

Minutes approved as amended.

4 ayes: Fuller, Cassie, Brandt, Fralick

A motion was made by Councilman Brandt, seconded by Councilperson Cassie that the charge back billing dated 10/15/09 on file in the Planning and Zoning office be approved.

4 ayes: Fuller, Cassie, Brandt, Fralick

A motion was made by Councilman Brandt, seconded by Councilperson Cassie, that after review and audit of bills abstract #21 \$38,231.64 general fund, \$1,250.00 Special Grant Fund-Pactiv Small Cities, \$21,646.17 highway fund, \$4,371.89 water fund, \$814.47 Fox Ridge lighting, \$119.64 Centerpoint lighting, \$10.56 Lakewood Meadows lighting, \$103.26 Fallbrook Meadows lighting that the bills be paid.

4 ayes: Fuller, Cassie, Brandt, Fralick

PUBLIC HEARINGS

Supervisor Fralick opened the public hearing on the Ontario County Multi-Jurisdictional All Hazard Mitigation Plan at 7:09 pm and advised it had been properly advertised.

Supervisor Fralick explained that the County and Towns have been working on this plan for over 5 years. The County Board of Supervisors' has already approved the plan. If the plan is approved then we will qualify for federal disaster relief.

Supervisor Fralick closed the public hearing at 7:09 p.m.

Moved by Councilperson Brandt, seconded by Councilperson Fuller,

WHEREAS, the Town of Canandaigua, in coordination with Ontario County municipalities, have gathered information and prepared the Ontario County Multi-Jurisdictional All Hazard Mitigation Plan; and

WHEREAS, the Ontario County Multi-Jurisdictional All Hazard Mitigation Plan was developed to help communities:

- Protect life, safety, and property by reducing the potential for future damages and economic losses resulting from natural hazards;

Canandaigua Town Board 10-20-09

- Qualify for additional pre-disaster and post-disaster grant funding;
- Facilitate recovery and redevelopment following future disaster events;
- Demonstrate a commitment to hazard mitigation principles; and
- Comply with New York State and Federal legislative requirements; and

WHEREAS, the Ontario County Multi-Jurisdictional All Hazard Mitigation Plan as been prepared in accordance with the Disaster Mitigation Action of 2000; and

WHEREAS, The Plan was financed in part by a Pre - Disaster Mitigation Grant through the Federal Emergency Management Agency and the New York State Emergency Management Office. The Ontario County Planning Department and participating municipalities provided the required grant match through in-kind service; and

WHEREAS, in March 2009, the Federal Emergency Management Agency granted approval of the plan pending adoption by each of the participating municipalities; and

WHEREAS, the Town of Canandaigua is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Town of Canandaigua has reviewed the Plan and commits to review and update the Plan as required; now, therefore, be it

RESOLVED, by the Town of Canandaigua that the Town of Canandaigua adopts the Ontario County Multi-Jurisdictional All Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

4 ayes: Fuller, Cassie, Brandt, Fralick

Supervisor Fralick opened the public hearing on an amendment to Chapters 45, 105, 96 "Administrative Review Local Law" at 7:10 pm and advised it had been properly advertised.

Councilperson Cassie read the comments from the Ontario County Planning Board. They deemed it a Class II action.

Supervisor Fralick adjourned the public hearing to November 4th, as we are waiting for the recommendation from the Town Planning Board.

A motion was made by Councilperson Cassie, seconded by Councilperson Fuller to table the motion to adopt this Local Law.

4 ayes: Fuller, Cassie, Brandt, Fralick.

PRIVILEGE OF FLOOR

No one spoke.

HIGHWAY REPORT

1. Working on County Road 30 water project, will be testing the water next week.
2. Preparing the trucks for winter
3. Replacing shingles on the Lakeside bathhouse at Onanda

The informational meeting for the Grandview/Route 21 sewer district will be held on November 17th.

REPORT OF STANDING COMMITTEES

Codes committee - Ralph Brandt

- meeting on 10/21 and will review nuisance information

Fire committee - no report

Canandaigua Town Board 10-20-09

Insurance committee - Marion Cassie

- there will be no added cost for insurance for the trails.

REPORT OF SPECIAL COMMITTEES AND/OR COMMISSIONS

Park and Recreation - Reid Hankin

- reviewed the trails master plan
- Dennis Brewer received positive feedback from the survey of participants of the summer rec program.

Supervisor Fralick commended the park staff on Onanda Park.

Comprehensive Plan Committee -Oksana Fuller

- the amended Comp Plan RFPs were given to all consultants, posted on the web site and placed in an ad.
- Comp Plan update proposals are due Friday the 23rd . The Advisory Committee will be reviewing the proposals the week of October 26th. Interviews will be schedule in the future.

Envrionmental Commission - Kevin Reynolds

- reviewing drafts of what environmental boards do as well as local laws
- next meeting 10/21 @3pm

SUPERVISORS' REPORT

1. Attended County meetings
2. Met with Kay James and Mayor Polimeni

RESOLUTIONS:

1. Motion made by Councilperson Brandt, seconded by Councilperson Cassie, to allow Bob Mincer and Thomas Schwartz to attend the Monroe County Land Use Decision Making Training Program on October 22, 2009 at a cost of \$25. pp.

4 ayes: Fuller, Cassie, Brandt, Fralick

2. The motion was made by Councilman Brandt seconded by Councilperson Fuller to make the following budget transfers:

From: A1990.400	Contingency	\$ 65,000.00
To: A1440.400	Engineering	\$ 35,000.00
To: A8020.400	Planning Contractual	\$ 30,000.00

4 ayes;; Fuller, Cassie, Brandt, Fralick

3. The following was offered by Councilperson Brandt, seconded by Councilperson Fuller, RESOLVED, that the preliminary budget be accepted, a copy place on file in the Clerk's office and the clerk be instructed to give notice of public hearing to be held on the proposed 2010 budget, November 4, 2009 at 7:00pm at the Canandaigua Town Hall, 5440 Route 5 & 20 West, Canandaigua, NY

FURTHER RESOLVED, that said public hearing include all water districts, drainage districts and lighting districts;

FURTHER RESOLVED, that said public hearing include the following fire protection contracts:

City of Canandaigua Fire Department in the amount of \$552,000.00

Cheshire Volunteer Fire Department in the amount of 247,642.00

Bristol Volunteer Fire Department in the amount of \$18,720.00

East Bloomfield/Holcomb Fire Department in the amount of \$34,320.00

4 ayes: Fuller, Cassie, Brandt, Fralick

Canandaigua Town Board 10-20-09

4. A motion was made by Councilperson Brandt, seconded by Councilperson Fuller, to allow Thomas Schwartz and *Oksana Fuller* to attend the G/FLRPC Local Government Workshop on November 20, 2009 at a cost of \$40pp.

Approve as amended: 4 ayes: Fuller, Cassie, Brandt, Fralick

5. A motion was made by Councilperson Brandt, seconded by Councilperson Fuller, to reappoint Mark Stryker to the Board of Assessment Review for a term to expire 2014.

4 ayes: Fuller, Cassie, Brandt, Fralick

6. A motion was made by Councilperson Brandt, seconded by Councilperson Cassie, to surplus the following items from the Inventory list: #1614 keyboard, 1375 obsolete software program, 1340 scanner, #0453 adding machine.

4 ayes: Fuller, Cassie, Brandt, Fralick

7. Moved by Councilman Brandt, seconded by Councilperson Cassie

TOWN OF CANANDAIGUA
Workplace Violence Prevention
Policy Statement

The Town of Canandaigua is committed to providing its employees with a work environment that is safe, secure and free from violence. The Town also considers the safety of its residents, vendors, contractors, and the general public (collectively referred to as “visitors” throughout the remainder of this program manual) to be of paramount importance and strives to provide them the same type of protections while on Town property.

The Town will not tolerate ANY acts of violence in the workplace, including but not limited to physical assault (e.g. hitting, pushing), threatening or intimidating behavior, or verbal abuse or harassment. Employees are prohibited from possessing firearms or weapons (e.g., guns, knives, (except for pocket knives used in the normal course of the employee’s job), explosives and other items with the potential to inflict harm) in the workplace, even if the employee is licensed to carry the weapon. The only exceptions are law enforcement and security personnel. An employee who has knowledge that a coworker or visitor possesses a weapon on Town property must report this to a Department Head or supervisor immediately.

The workplace is defined as any location away from an employee’s home, either permanent or temporary, where the employee performs any work-related duty in the course of employment. This includes, but is not limited to, Town-owned buildings and surrounding perimeters, parking lots, work sites, clients’ homes, and traveling to and from work assignments.

Any and all incidents of workplace violence or imminent danger must be promptly reported in accordance with the reporting procedures outlined in the Workplace Violence Program Manual, a copy of which will be provided to all employees.

Enforcement of this policy will be accomplished through the implementation of a Workplace Violence Prevention Program, and by complying with the requirements of the NYS Workplace Violence Prevention Act, as set forth in NYS Labor Law Section 27-b.

Violations of this policy will result in appropriate remedial, disciplinary, and/or legal action, according to the circumstances.

All Town of Canandaigua personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

Designated Contact Person:

Title: Town Supervisor

Phone: 394-0315

4 ayes: Fuller, Cassie, Brandt, Fralick

Canandaigua Town Board 10-20-09

A motion was made by Councilperson Cassie, seconded by Councilman Brandt to move into executive session @7:25 to discuss pending litigation, contracts, employment history of an employee and land acquisition.

4 ayes: Fuller, Cassie, Brandt, Fralick

The board moved out of executive session at 8:55 pm.

Supervisor Fralick adjourned the meeting at 8:55 pm

Judith H. Carson
Town Clerk