

Canandaigua Town Board
Regular Meeting
April 26, 2010

Present: Terry Fennelly	Councilperson
Pam Helming	Councilperson
Oksanna Fuller	Councilperson
Ralph Brandt	Councilperson
Sam Casella	Supervisor
Jim Fletcher	Highway Superintendent
Tim Jensen	Director of Development
Derek Brocklebank	Attorney for the Town

Others present: Kevin Reynolds, Dennis Brewer, Yvonne Chavez, Marion Cassie, Lewis Smith, Jack Kellogg, Ralph Pascale, Greg Hotaling and others who did not sign in.

Pledge of allegiance

Supervisor Casella called the meeting to order at 7:00 pm.

A motion was made by Councilperson Brandt, seconded by Councilperson Fennelly, that the meeting minutes of April 5, 2010 be approved as necessarily amended.

5 ayes: Fennelly, Helming, Fuller, Brandt, Casella

A motion was made by Councilperson Brandt, seconded by Councilperson Fuller that after review and audit of abstract #6 General Fund \$159,879.96, Highway Fund \$120,966.23, Water Fund \$80,189.01, Extension #36, County Rd 30 Capital Project \$789.62, Fox Ridge Lighting \$837.90, Centrepointe Lighting \$154.03, Lakewood Meadows Lighting \$13.32, Fallbrook Meadows Lighting \$110.75 that the bills be paid.

5 ayes: Fennelly, Helming, Fuller, Brandt, Casella

PRIVILEGE OF THE FLOOR

Marion Cassie- West Lake Rd- asked if the Town look into a more cost effective way to recycle its metal products for cash.

Discussion on recycling metal products

Supervisor Casella – asked Jim Fletcher to look into recycling metal and see how cost effective it would be to the town.

Yvonne Chavez- Middle Cheshire Rd- wanting to know the procedure for charge back billing, especially with Fox Ridge and RSM.

Discussion on charge back billing

Tim Jensen – The staff is working on a new formal policy for charge back billing. Several notices have been sent out and the next step would be a collection agency involvement.

Supervisor Casella – Typically this does not occur where companies do not pay. We will come up with a more formalized process and keep the town board in the process.

PRESENTATION OF PETITIONS, COMMUNICATIONS AND CORRESPONDENCE

1. City of Canandaigua Fire Report
2. Letter from Cooperative Extension regarding an open house at the 4/H Camp Bristol Hills on 5/16 and 5/30/10.

HIGHWAY DEPARTMENT REPORT- Jim Fletcher

1. Working on drainage and road repair on New Michigan Road.

2. The driveway at the Fire Hall on Parkside Drive needs repair. The asphalt for the area needing repair would run \$10,000 and eventually to do the entire driveway would run \$30,000. The building was built in 1996 and will also need a new roof in the future. Pictures were passed around to the board of the driveway needing improvements.
3. Working on coming up with a solution to the problem with car traffic driving by the Highway building. People drive from Buffalo Street Ext thru to 5 & 20 and it's become an issue now. Will come back to the board with possible solutions.

PLANNING DEPARTMENT – Tim Jensen

1. Wyffels PDR- The draft easement was accepted and approved with NYS Ag and Markets and now can move forward with remaining eight items for completion of the purchase agreement.
2. Outhouse Park- purchase of land is completed and can start the alienation process. Will be working with NYS Office of Parks and Rec. The grant money awarded through EPF program at some time will be made available and a contract can be signed to secure the funds for the park development. The Park not ready yet to be developed.
3. Codification- Town Code books have arrived at the town and now waiting for adoption of required Local Law.
4. Comp Plan- The contract with EDR has been executed and plans are now underway for first meeting on the 29th of April.
5. Fees-Staff is working on a policy for closing out delinquent accounts based on materials submitted by the former Town Attorney.
6. NYSERDA Grant-The application for the compactor was turned down. We are now waiting to hear from the state regarding the contract award for the code update.
7. IPS BAS Permit Reporting Software- notified BAS company that we will no longer be continuing to update IPS BAS and will pursue other options for tracking information.
8. Zoning Request- Working on request to rezone a 13.5 acre parcel on County Rd 32 and Rte 5 & 20 from R-120 to AR-2. Application will be forwarded to the Town Board when application is complete.

Supervisor Casella – I meet with Tim Jensen –DOD- daily to discuss the latest updates with Wyffels and is pleased with the progress made. He thanked Tim for doing a good job with Wyffels PDR.

A motion was made by Councilperson Brandt, seconded by Councilperson Fuller , to acknowledge receipt of the Planning Board letter regarding the Comp Plan update and their request that we wave their filing of an Annual Report due to the fact that we are undergoing the Comprehensive Plan Update in 2010.

5 ayes: Fennelly, Helming, Fuller, Brandt, Casella

Tim Jensen – handed out a 2 page report on the Environmental Conservation Board- Discussion of Project Review Role and Options for Local Modification of Referral Requirements of NYS GML 230-x & y. The first page reflects the discussion of the history and current status. The second page reflects the goals wanting to achieve on revisions to Chapter 11 of the Town Code. The board agreed to wait on any actions until draft revisions were made .

ASSESSOR'S REPORT

Supervisor Casella - Don has pulled resolution #4 tonight and will come back with a new proposal at the next town board meeting on May 17.

REPORTS OF COMMITTEES

Fire- Supervisor Casella - will be setting up a meeting with Kay James to discuss the fire contract.

Insurance- Supervisor Casella – read an e-mail from Ed Perego regarding insurance proposals. The insurance package is complete and has been filed in the Town Clerk's office which was effective April 1, 2010.

Parks – Dennis Brewer

- Has a resolution on tonight's agenda for a new swing set at Pierce Park
- Wanting to make Peanut Line walk-able by clearing of area to walk, installing signs of rules and regulations
- Wanting a Ceremony for the opening of the Peanut Line section given by James Judkins
- Barnes Road Trail- will be started in May. Marty Dodge and workers will build stairs and boy scouts will help develop the trail.

- Blue Heron Park- present trail will be graded and stone dust added. Trees will be planted for landscaping. A pavilion will be built in the future.
- Outhouse Park- wanting trails made in the future. Plans were once drawn up for playgrounds, pavilions, bathrooms, playfields etc. so at some time in the future this may happen.
- Miller Park- is still in the designing stages.
- May 5- committee meeting scheduled for 6:30 pm at Gorham Lodge.
- Discussion on a dog park at some time in early stages

Trails – Dennis Brewer

- Handed out copy of the draft Trails Master Plan for board.

Lengthy Discussion followed on draft Trails Master Plan

The board was concerned with wording and mapping of the draft Trails Master Plan and was in agreement not to take action on tonight's resolution #3, but will send the plan to Tim Jensen for SEQR process and set a Public Hearing.

Dennis Brewer – pulled resolution #3 on tonight's agenda.

Tim Jensen- will work with Dennis and Kevin to start the SEQR process and will report back at the May 17th meeting with the Environmental Assessment form.

Dennis Brewer – Has had requests from the public wanting trees, plaques etc. dedicated in memory of loved ones placed in town parks.

After a discussion with the board, the board has asked the Parks Committee to come back to the board with a recommendations and criteria of how to handle this process.

The board discussed Blue Heron Park as a possible location for memorial tree planting.

Councilperson Helming – is concerned about erosion at Miller Park

Jim Fletcher-Hwy Supt- Is aware of the concerns with erosion, and once surveyed will be working on the property. The plan is to walk the land with Kevin Olvaney for his input on the property.

Short discussion on Miller park property

Comp Plan- Ralph Brandt

- Committee will meet at 6:30pm, Thursday the 30th of May at Crouch Hall for the kick-off meeting.

SUPERVISOR'S REPORT

- 1) Talked to Tim Jensen about redrafting local law ordinance for the ZBA and PB alternate position and will have a draft ready for the next town board meeting.
 - After board discussion it was decided Tim would write the draft –conflict of interest text.
- 2) Thanked Dennis Brewer and committee for a good job putting together the draft Trail Master Plan
- 3) Have letters of interest regarding the Health Officer position. The deadline for accepting resume applications is April 28. We will be scheduling interviews for that position and also an opening position for Parks committee.

Councilperson Fuller – questioned the procedure of writing and ad for the newspaper.

Supervisor Casella – In the future, if ads for publication are to come before the board for review of language, it will be by consensus of the board the ad will be agreed on or the board will draft the ad themselves.

- 4) procurement policy- working with Ray from The State Association of Municipal Officer's and will be getting the document back that will then come before the board for review.
- 5) HR contract has been returned and signed and now in Town Clerks office.
- 6) I will be meeting with the City Manager and Chief Miller to discuss the fire contract.
- 7) I'm working with Laurie Moore for the Outhouse Park process.

- 8) "Violence in the workplace"- HR will schedule a time with the Town Clerk to come in and talk to the employees. The agreement was previously signed on July 27, 2009 by Supervisor Fralick .

Councilperson Helming – The county has a program on-line regarding" Violence in the workplace" that would have been free to the town and asked if the county could now be involved with the town in holding a workshop. After talking to Sherman Manchester the county safety manager who writes the program, he has agreed to attend a workshop.

Supervisor Casella – This agreement has not been adopted by the town so there is still time for HR to come out and hold a workshop and at that time we can invite Sherman Manchester. I will send Sherman Manchester a draft copy to get his comments before a workshop is scheduled.

By Town Board consensus it was decided to hold a" Violence in the workplace" workshop on May 10, 2009 at 4:30 pm at the Town Hall.

MOTIONS AND RESOLUTIONS

RESOLUTIONS: 4-26-10

1. Motion moved by Councilperson Brandt , seconded by Councilperson Fuller , to establish the letter of credit for Old Brookside Section 4 in the amount of \$443,814.71
Discussion: 5 ayes: Fennelly, Helming, Fuller, Brandt, Casella

2. Motion moved by Councilperson Brandt , seconded by Councilperson Fennelly , authorizing MRB to do the map, plan and report for the Water District Extension Hickox watermain project in the amount of \$5,700.
Discussion: Supervisor will provide MRB with our standard contract. 5 ayes: Fennelly, Helming, Fuller, Brandt, Casella

#3 resolution Pulled

3. Motion was made by Councilperson _____, seconded by Councilperson _____, that the Town of Canandaigua Trails Master Plan draft be accepted as the Town's Master Plan for the development of trails.

#4 resolution Pulled

4. A motion was made by Councilperson _____, seconded by Councilperson _____, to purchase one seat of Pictometry On-Line (POL) in the amount of \$960.00 for one year.
5. Motion moved by Councilperson Brandt , seconded by Councilperson Helming _____ ,

TOWN OF CANANDAIGUA TOWN BOARD RESOLUTION TO SET PUBLIC HEARING DATE FOR FINAL ADOPTION OF LOCAL LAW TO PUBLISH TOWN CODE (GENERAL CODE PUBLISHERS)

WHEREAS, the Town Board of the Town of Canandaigua has entered into a project for the codification of local laws, ordinances and certain resolutions of the Town of Canandaigua for the purposes of increasing the effectiveness of town governmental administration, providing for greater public awareness of and access to town legislation and protecting the health, safety and welfare of town inhabitants; and

WHEREAS, the proposed codification has been published in loose-leaf form and the Town Board now desires to formally effect the adoption of said codification by enactment of a local law; and

NOW, THEREFORE, BE IT RESOLVED, that a public hearing by the Town Board with respect to enactment said local law will be held on May 17th, 2010 at 7:00 p.m., in the Town Hall, Town of Canandaigua, New York.

Ayes: Fennelly, Helming, Fuller, Brandt, Casella

6. Moved by Councilperson Brandt, seconded by Councilperson Fuller _____ ,

CANANDAIGUA TOWN BOARD RESOLUTION RE-ESTABLISHING THE COMPREHENSIVE PLAN CITIZEN ADVISORY COMMITTEE

WHEREAS, at their 10/21/2008 meeting the Canandaigua Town Board created the above committee to draft an update to the Town's Comprehensive Plan; and

WHEREAS, certain members are no longer in a position to serve on the committee; and

WHEREAS, Environmental Design & Research, P.C. (EDR), has indicated that revisions to the makeup of the committee would contribute to a more effective and efficient update process; and **WHEREAS**, the Town Board has recently executed a contract for consultant services with EDR to facilitate said update; and

WHEREAS, said contract contains a specific scope of services describing the extent and nature of the comprehensive plan update; and

NOW THEREFORE BE IT RESOLVED, that the Comprehensive Plan Citizen Advisory Committee is hereby re-established with members as listed below with the specific purpose of preparing an update to the Town of Canandaigua Comprehensive Plan, consistent with the scope of services contained in the contract executed with EDR, for later consideration by the Town Board;

Town Planner – Project Manager

Tim Jensen

Parks & Recreation Committee / Trails

Vacant

Planning Board

Joyce Marthaller

Zoning Board of Appeals

Gary Davis

Environmental Conservation Board Kevin Reynolds

Town Board

Ralph Brandt

Oksana Fuller

Town Citizens

Terence Robinson

Agriculture/Hamlet of Cheshire

Ken Naples

and, be it further

RESOLVED, that representatives of the Parks & Recreation /Trails Committee, Planning Board, Zoning Board of Appeals, Environmental Conservation Board, Town Board, Town Citizens, and Agriculture/Hamlet of Cheshire shall be voting members; and

RESOLVED, that the committee may call on the following outside agencies as needed for input and support

Ontario County

Canandaigua Chamber of Commerce

Canandaigua Lake Watershed Association

Senior Citizens Groups

Canandaigua School District

Town Historian

Highway Superintendent

Canandaigua Lake Watershed Program Director

City of Canandaigua

Town of Gorham

Town of Farmington

Discussion 5 Ayes: Fennelly, Helming, Fuller, Brandt, Casella

7. Motion was made by Councilperson Brandt, seconded by Councilperson Helming, to purchase 2 swing sets for Pierce Park at a cost of \$3,309.00.

5 ayes: Fennelly, Helming, Fuller, Brandt, Casella

#8 resolution tabled

8. Motion made by Councilperson _____, seconded by Councilperson _____, to adopt the Workplace Violence Prevention Program prepared by Public Sector HR.

OTHER BUSINESS

Greg Hotaling – There has been an informational meeting on the proposed Cramer Rd water extension. The homeowners would like to come up with a way to make the district a little more affordable.

Discussion on proposed district

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Yvonne Chavez- Middle Cheshire Rd – asked if fire and insurance committee were still formed and if so who attends the meetings.

Supervisor Casella –It is my responsibility as Town Supervisor to discuss with the City and Cheshire VFD the contract, but it is up to the town board to discuss negotiations.

Councilperson Helming – would like to set up a workshop with the Bookkeeper to review the financial report.

Supervisor Casella – will check with the bookkeeper and come up with a time and date to schedule a workshop.

Councilperson Helming – suggested the board looked into sharing of services with the county such as Health Care Services.

Supervisor Casella – will get with the county and report back to the board.

A motion was made by Supervisor Casella, seconded by Councilperson Brandt to move into executive session for Attorney/client privilege and to discuss employee history of a particular person at 9:40 p.m.
5 ayes: Fennelly, Helming, Fuller, Brandt, Casella

The board moved out of executive session at 10:35 pm.

The meeting was adjourned at 10:35 pm.

Jean MacKay
Deputy Town Clerk

