

Canandaigua Town Board  
Regular Meeting  
August 30, 2010  
7:00 pm

Present: Terry Fennelly	Councilperson
Pam Helming	Councilperson
Oksana Fuller	Councilperson
Ralph Brandt	Councilperson
Sam Casella	Supervisor

Others present: Jim Fletcher, Dennis Brewer, Tom Schwartz, Kevin Pollack, Kevin Reynolds and others who did not sign in.

-Cancelled-

6:00pm- presentation by SDQ on a GIS type program

Supervisor Casella called the meeting to order at 7:05 pm.

Pledge of allegiance lead by Pam Helming.

Motion was made by Councilperson Brandt, seconded by Councilperson Fennelly that the minutes of August 19 and 24 be approved.

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

Motion was made by Councilperson Brandt, seconded by Councilperson Fennelly that the minutes of August 9 be approved as amended.

4 ayes: Fennelly, Fuller, Brandt, Casella 1 abstain: Helming

A motion was made by Councilperson Fuller, seconded by Councilperson Brandt that after review and audit of abstract #12 \$72,930.43 General Fund, \$89,545.88 Highway Fund, \$11,138.41 Water Fund, \$671.97 Fox Ridge Lighting, \$126.54 Centrepoint Lighting, \$11.05 Lakewood Meadows Lighting, \$107.44 Fallbrook Meadows Lighting and abstract #15 Trust and Agency Fund \$34,686.40 that the bills be paid.  
Discussion 5 ayes: Fennelly, Helming, Fuller, Brandt, Casella

#### PRESENTATION OF PETITIONS, COMMUNICATIONS, AND CORRESPONDENCE

1. Letter from USDA regarding Purdy/Mobile Road Sewer District
2. City of Canandaigua monthly fire report
3. Letter from Town of Barker regarding Marcellus Shale natural gas
4. Petition from Cheshire to convene as Board of Health to remedy problems with feral cats.

Supervisor Casella – a petition has been formally received in the Town Clerk’s office and therefore, the Town Board must sit in as the Board of Health.

At board consensus : The Town Board will meet at 6:00 pm on Monday, September 20, 2010 for a Special Meeting and convene as the Board of Health.

#### HIGHWAY REPORT- Jim Fletcher

1. Surface treatment has been performed on the roads.
2. Work will continue on Goff Rd for drainage improvements.
3. Discussing future walking paths with residents on Middle Cheshire Rd about the future of the walking path. Most want it to go to 5 & 20
4. The hoist that the Hwy uses to lift trucks has malfunctioned. It is in need of replacement at this time. Will look into pricing and get back to the board. Also structural work will be needed for the flooring at the Highway garage to support a new hoist.
5. Finishing up the topsoil along Middle Cheshire Rd.
6. Grandview Terrace sewer- There’s no money in the budget or funding to get started at this time, but will keep working on the process for the future.

#### Water Report

1. Finishing flushing hydrants

2. Letters will be sent out regarding a water hydraulic study. Town residents and Bristol may experience cloudy water from a water flush that will take place soon. If the residents continue to have cloudy water, they should notify the town.
3. Discussed insurance companies that wanted to sell water insurance policies to homeowners. The town does not support this.

PLANNING DEPARTMENT- Tim Jensen (DOD)

1. Wyffels PDR- Lakeside Estates has received preliminary approval. Working on water easement to facilitate reconsolidation of Wyffels parcel.
2. Outhouse Park- Laurie Moore will be meeting with staff on discussions about what parts of the plan qualify for funding.

Supervisor Casella – has requested Tim to provide a lease contract for consideration at the next board meeting.

3. Comprehensive Plan- draft inventory is under review by voting members of the committee.
4. NYSERDA Grant-An agreement was signed and notarized and sent in. A revised Waste Stream Plan was also forwarded to the state.
5. RLD Zoning- CPB has recommended approval of proposed changes. The draft law was posted to the website.
6. Happiness House PUD Rezoning- Putting together a sketch of plans for discussion on the next available Planning Board agenda.
7. Chapter 18- Awaiting Town board action on a proposed resolution to resolve possible procedural problems with establishment of the ECB.

SUPERVISOR'S REPORT

1. Welcomed Melissa Daniels, the new Daily Messenger Reporter, who will be covering the Town Board Meetings.
2. Talked to Ed Pergo our Insurance representative in regards to volunteers working for Dennis Brewer on Parks and Recreation programs, and Ray Henry our Historian for work needed on restoration of projects. No machinery can be operated by volunteers and supervision of volunteers was recommended.
3. Working on budgets with department heads. Will start meeting with department heads to start the tentative budget process.
4. We have had 3 people interested in the Environmental Conservation Board so we need to set up a time for interviews.

Board consenses- The Town board will set up a special meeting on Friday, September 24 at 4pm. to hold interviews for the Environmental Conservation Bd.

Discussion on special meetings

REPORTS OF COMMITTEES, BOARDS, AND COMMISSIONS

Dennis Brewer- Parks and Rec

- 1) Will need volunteers to help with the Peanut Line
- 2) Asked the supervisor where the money would be budgeted to get started on landscaping Miller Park, adding trails and benches etc.  
Supervisor Casella said that it was his understanding it would come out of Parks and Recreation budget, but will check further. Tim Jensen-DOD along with Jim Fletcher will be helping with the development of the park.

Discussion on Miller Park

RESOLUTIONS and MOTIONS

1 Moved by Councilperson Brandt ,seconded by Councilperson Fuller,

RESOLVED that Thomas McWilliams, Code Enforcement Officer, and Dale Zukaitis, Code Enforcement Officer, attend the New York State Fire Marshals and Inspectors In-Service Training program October 19 through October 21, 2010, in Montour Falls as part of the NYS Code Enforcement Continuing Education requirements at a cost of \$25 each plus lodging of \$159/night for three nights (\$477) – for a total cost of \$527.<sup>00</sup>

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

2.The motion was made by Councilperson Brandt,  
Seconded by Councilperson Fennelly, to make the following budget transfers :

From:	A1990.400	Contingency	\$ 2,500.00
To:	A1930.400	Special Judgments & Claims	\$ 2,500.00

In order to cover costs of insurance deductible for 2003 Claim which was recently closed.

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

*Resolution #3 has been Tabled--*

3. Moved by Councilperson ,seconded by Councilperson ,

**TOWN OF CANANDAIGUA TOWN BOARD RESOLUTION  
TO SET PUBLIC HEARNG DATE FOR PROPOSED AMENDMENT TO THE LIST OF ALLOWABLE USES IN THE  
RLD RESIDENTIAL LAKE DISTRICT**

**WHEREAS**, the Town Board has identified the need to modify local law to amend the list of allowable use in the RLD; and

**WHEREAS**, the Town Board has been presented with the first draft of a local law and wishes to commence with public review of same; and

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing by the Town Board with respect to possible enactment said local law will be held on September 20, 2010 at 7:00 p.m., in the Town Hall, Town of Canandaigua, New York.

Tim Jensen-DOD- handed out updated revisions on “Proposed Language for 1-17, 220-21, 41, 48 and 220-a, Schedule and reviewed the changes with the Town Board.

Town Board consensus- A workshop has been scheduled for September 20 at 7:00 pm. at the Town Hall, to review the proposed amendments to RLD RESIDNETIAL LAKE DISTRICT resolution before scheduling the public hearing date.

**OTHER BUSINESS**

Tim Jensen-DOD- handed out a resolution “addressing procedural issues related to the creation of the Environmental Conservation Board and adoption of the open space index”.

Councilperson Helming and Fennelly- did not feel the board should act on this resolution tonight until being reviewed for comments.

Discussion on proposed resolution. The board decided to include this resolution on the next agenda.

**PRIVILEGE OF THE FLOOR**

Tom Swartz- Coye Rd- made a suggestion on proposed language for RLD Residential Lake District, that it be user friendly with the general public so they may understand the changes by putting the changes in quotes or capitalized, but just to stay consistent.

A motion was made by Councilperson Brandt, seconded by Councilperson Fuller to move to executive session to discuss pending litigation with the town attorney at 8:38 pm.

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

The board moved out of executive session at 8:48 pm.

The meeting was adjourned at 8:48 pm.

Jean MacKay, Deputy Town Clerk