

4. Will pave walking path on Middle Cheshire Road in June.
5. Discussion on changing vendors for scrap metal.
6. Working on items from the Workplace Violence program.
7. Gave a tour of our water system and others buildings in the Town to the Selective insurance representative.
8. Will be working with Jim Crane's crew to install a new water main on Purdy Road.
9. Met with Kevin Olvaney at Miller park to discuss ground cover. Will report back when a decision is made on what to plant.

Supervisor Casella opened the public hearing on the General Code local law at 7:07 pm and advised it had been properly advertised.

Tim Jensen - explained that the codes committee had reviewed these changes in the code . The changes are basically administrative changes.

Councilperson Helming would like General Code to provide a cross reference as the new law doesn't correspond with the code.

After a discussion and comments from the board regarding inconsistencies it was decided that a workshop would be scheduled with Tim Jensen.

Supervisor Casella adjourned the hearing to a future date.

PRIVILEGE OF THE FLOOR

Jim Fletcher had asked residents in the proposed Cramer Road water district to come in and express their feelings on the proposed district.

Peter DeHond, Doug Nather, Dick Searles, Mike D'Anton, and Catherine Roberts, all felt that the district was too expensive and more of a benefit to the Town. David Hagadorn was in favor of it but it would not cost him anything. Joanne Bardun had come to the Town and asked that they look into forming the district.

After a lengthy discussion the residents were told that someone in the proposed district would have to pass a petition.

Mike Manikowski, IDA - talked to the board about amending the City of Geneva Empire Zone boundaries. This would create a satellite zone for Infotonics where Moser Baer Technologies is locating. They are a manufacture of a organic light emitting diode.

Paul---- CEO, Infotonics, - this will create high technology in this region. They will be able to manufacture here and compete globally.

Dave Newman – explained the manufacturing of the product.

Michael N'dolo – explained the Empire Zone. This Company will employ 57 people

within three years.

**TOWN OF CANANDAIGUA
RESOLUTION OF SUPPORT AND CONCURRENCE
WITH THE CITY OF GENEVA EMPIRE ZONE
REGIONALLY SIGNIFICANT PROJECT DESIGNATION**

Introduced by Councilman Fennelly, seconded by Councilperson Helming

WHEREAS, New York State has created the Economic Development Zone Program, now known as the Empire Zones Program, to encourage industrial and commercial development in select municipalities across the State; and

WHEREAS, New York State has amended the Zones Program to allow additional areas to be deemed as Regionally Significant Projects; and

WHEREAS, the City of Geneva intends to amend the City of Geneva Empire Zone boundaries to encourage industrial and commercial development and to allow for the designation of lands in the Town of Canandaigua for a Regionally Significant Project; and

WHEREAS, Moser Baer Technologies located at 5450 Campus Drive, Canandaigua, New York meets the criteria of 957(d) of the General Municipal Law as a Regionally Significant Project by projecting the creation of at least 50 new manufacturing jobs for inclusion within the City of Geneva Empire Zone in an area outside the distinct and separate contiguous areas; and

WHEREAS, the Town of Canandaigua wishes to support and concur with the Empire Zone designation of tax parcels 56.00-1-29.200 as a Regionally Significant Project on behalf of Moser Baer Technologies; and

NOW, THEREFORE, be it resolved that the Town of Canandaigua Town Board, in its capacity as governing body of the Town of Canandaigua, does hereby support and concur with the City of Geneva and the City of Geneva Empire Zone to include the property more particularly described as follows:

Tax Parcels 56.00-1-29.200

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

**PRESENTATIONS OF PETITIONS, COMMUNICATIONS, AND
CORRESPONDENCE**

1. City of Canandaigua Fire Department report
2. Letter from Time Warner Cable
3. Letter from Cheshire Community Action Team
4. Letter from Yvonne Chavez regarding charge backs.

DIRECTOR OF DEVELOPMENT - Tim Jensen

Wyffels PDR - the revised draft easement has been approved. Staff will be working to complete all others items, including reconsolidation of the Wyffels parcel to get final approval.

Outhouse Park alienation legislation will go to Assemblyman Kolb's office tomorrow. They will coordinate between themselves and Senator Volker's office to draft the

legislation and get it passed. Rocco Venezia has done the metes and bounds description.

The initial kick off meeting for the Comp Plan was held and an update of the process was posted to the Town's website. Focus group interviews will be held on the after of the 12th.

Staff has discussed a workable policy for closing out delinquent accounts based on materials submitted by the former Attorney for the Town. Will talk with staff regarding delinquent fees. Discussion on when an account is delinquent that all applications stop. Attorney Brocklebank and Tim will discuss procedures for delinquent fees.

Waiting to hear from state regarding the NYSERDA grant contract award for the code update.

SUPERVISOR'S REPORT

1. The City Manager wants to reinstate the Cable Franchise committee.
2. Spoke with Jeff Travers -HR, and a time will be scheduled for Nanette to come up and review Workplace Violence draft.
3. Tom McWilliams is working on a fire exit plan and will plan a fire drill.
4. A meeting was scheduled for May 24th @6:00 pm to meet with bond to go over health insurance options.
5. The City Manager is reviewing with their attorney the contract to see if the Town could take it over with the CVFD.

PARKS COMMITTEE

1. New sign up at West Lake Road Schoolhouse. Have ordered signs for Pierce and Blue Heron Parks.
2. Jim Krammer has started working on the Barnes Road trail as his scout project. Marty Dodge will start steps in June.
3. Will have a ceremony for the Peanut line on June 15th
4. The trails committee is reviewing the trails document - the eminent domain was taken out and the maps are being cleaned up.
5. They have 7 areas for trails on their wish list.

RESOLUTIONS:

Tabled from 4/26/10 – still tabled

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

1. TABLED

Moved by Councilperson _____, seconded by Councilperson _____,

**TOWN OF CANANDAIGUA TOWN BOARD RESOLUTION
TO ADOPT LOCAL LAW # ____ OF 2010
CODIFICATION OF EXISTING LOCAL LAWS**

WHEREAS, the Town of Canandaigua Town Board, (hereinafter referred to as Town Board) has enlisted the services of General Code Publishers to codify existing local; and

WHEREAS, A special committee was created in 2006 by the Town Board to oversee this process and make decisions regarding corrections and reorganization of existing local laws; and

WHEREAS, the codification process also included addition of local laws separately adopted; and

WHEREAS, a final draft describing all of the proposed revisions has been submitted for adoption by the Town Board: and

WHEREAS, the action is classified as a Type II action pursuant to NYCRR, Part 617.5, and as such is not subject to review under the New York State Environmental Quality Review Act; and

WHEREAS, administrative and fee amendments to the code are exempted from referral to the Ontario County Planning Board by intermunicipal agreement; and

WHEREAS, it is the position of this Board that the proposed changes are administrative in nature and intended solely to provide for easier and more consistent interpretation and enforcement of existing requirements; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt Local Law # __of 2010.

2.

3.Motion made by Councilperson Helming, seconded by Councilperson Fennelly, to allow Thomas Crawford, Charles Oyler, Joyce Marthaller, Richard Gentry and Rick Szkapi to attend the May 14, 2010, G/FLRPC Spring 2010 Regional Local Government workshop at a cost of \$50 pp.

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

4.Motion made by Councilperson Brandt, seconded by Councilperson Fuller, for Tax Collector Jeannie Kesel to attend the 2010 NYS Tax Collector's Association Seminar in Lake Place, June 13-16 at a cost not to exceed \$900.

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

5.Moved by Councilperson Fuller, seconded by Councilperson Brandt,

**TOWN OF CANANDAIGUA RESOLUTION
ESTABLISHING ACCEPTABLE TRAINING FOR PLANNING BOARD
AND ZONING BOARD OF APPEALS MEMBERS**

WHEREAS, Town Law Sections 267 and 271, Village Law Sections 7-712 and 7-718, and General City Law Sections 27 and 81 provide that effective January 1, 2007, all planning board and zoning board of appeals members in New York State, as well as alternate members of those boards, must complete a minimum of four hours of training each year; and

WHEREAS, the above sections of state law provide that a planning board or zoning board of appeals member shall not be eligible for reappointment to such board if they have not completed the training required by law; and

WHEREAS, by resolution of the Town Board the Town of Canandaigua has previously required additional training above and beyond that described in NYS Law; and

WHEREAS, the above sections of state law provide that the legislative body of the town, village and city specifies which activities qualify as training to satisfy the state requirements; and now, therefore be it:

RESOLVED, that all Planning Board and Zoning Board of Appeals members as well as alternate members

Canandaigua Town Board – 5/17/10

of both boards shall be required to complete twelve (12) hours of suitable training during the first calendar year of the first term in office and four (4) hours each year for the remaining terms of office; and be it further **RESOLVED**, training requirements for members appointed to fill partial terms of office shall commence on the first day of the first full year of their term; and be it further

RESOLVED, that training activities provided by the following list of organizations and substantially devoted to planning zoning and other land use issues, is hereby approved to meet the state requirements;

1. Any New York State Government Agency,
2. Any NYS Regional Planning Board, Council, Program or similar agency;
3. Any County Planning Department, County Planning Federation, or County Soil and Water Conservation districts or other County Agency; and
4. The New York State Association of Towns, the New York Conference of Mayors, the New York State Association of Counties, the New York Planning Federation, the American Planning Association or any of its chapters; and
5. The Albany Law School Governmental Law Center and Institute for Legal Studies, Pace Law School, Cornell University and its cooperative extension,
6. On-line planning and zoning training programs offered by the New York Municipal Insurance Reciprocal, Pace University and Land Use Law Center, and the Lincoln Institute of Land Use Policy;

and, let it further be;

RESOLVED, that additional training activities substantially devoted to planning zoning and other land use issues from other sources may be approved for members on a case-by-case basis by their respective Board Chairs; and be it further

RESOLVED, an annual record of completed training, including certificates of completion shall be maintained by the Town Zoning Officer and presented to the Town Board and Town Clerk on or before December 31 of each calendar year; and be it further

RESOLVED, that this resolution supersedes all previous Town Board resolutions establishing training requirements for members of the Town of Canandaigua Zoning Board of Appeals and Planning Board
5 ayes: Fennelly, Helming, Fuller, Brandt, Casella

6.Moved by Councilperson Brandt, seconded by Councilperson Fuller,
**TOWN OF CANANDAIGUA TOWN BOARD RESOLUTION
TO SET PUBLIC HEARING DATE FOR PROPOSED AMENDMENT TO ALLOW
APPOINTMENT OF ALTERNATE MEMBERS TO
THE ZONING BOARD OF APPEALS AND PLANNING BOARD**

WHEREAS, the Town Board has identified the need to allow for appointment of alternate members to the planning board and ZBA to serve in cases where a conflict of interest will prevent a regular member from participating; 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 June 7th, 2010 at 7:00 p.m., in the Town Hall, Town of Canandaigua, New York.

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

7.Motion made by Councilman Brandt, seconded by Councilperson Fuller

**TOWN OF CANANDAIGUA TOWN BOARD RESOLUTION
REQUEST FOR DRAFTING OF LEGISLATION RELATED TO
ALIENATION OF LAND IN THE RICHARD P. OUTHOUSE PARK**

WHEREAS, the Town of Canandaigua has determined that an as yet undetermined number of acres in the Richard P Outhouse Park (the Park), has been alienated through development of Outhouse Rd, the pump house and a lease agreement with the Greater Canandaigua Civic Center, and

WHEREAS, the Town has recently acquired lands adjacent to the Park that would allow for replacement of said alienated acreage, and

WHEREAS, NYS Legislation is required to allow for the alienation as well as replacement of said acreage, and

WHEREAS, Brian Kolb is the elected representative for New York State’s 129th Assembly District which includes the Town of Canandaigua, and

WHEREAS, Dale Volker is the elected representative for New York State’s 59th Senate District which includes the Town of Canandaigua, and

WHEREAS, representatives from Assemblyman Kolb’s office indicated that they are willing to draft the legislation and coordinate with Senator Volker’s office regarding same, and

WHEREAS, representatives from Senator Volker’s office have confirmed that this would be the appropriate course of action, and

NOW, THEREFORE, BE IT RESOLVED, the Town of Canandaigua Town Board does hereby formally request that staff of Assemblyman Kolb draft legislation, to effect the alienation and replacement of specified lands in the Richard P Outhouse Park, for consideration during the current legislative session, and further,

RESOLVED, the Director of Development is hereby directed to work with the Town Supervisor to provide to the staff of Assemblyman Kolb, a specific description of the lands to be alienated, as well those used for replacement, and any additional information or assistance needed to complete the draft legislation.

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

8.Moved by Councilperson Brandt, seconded by Councilperson Fuller,,
**TOWN OF CANANDAIGUA TOWN BOARD RESOLUTION
TO FORWARD REZONING REQUEST TO
THE TOWN PLANNING BOARD FOR RECOMMENDATION
CPN 52-10 Joyce Case Miller – TMP 83.00-1-16.000**

WHEREAS, The property owner has formally requested that the Town Board consider rezoning a portion of her 13.5ac parcel at 3114 State Rt. 21, from R-1-20 to AR-2 to allow for use of an existing barn for agricultural purposes, and

WHEREAS, Town Code Section 105-105, part C requires referral to the Town Planning Board for a review and recommendation, and

WHEREAS, it is the position of this Board that the request does or does not warrant further consideration, and

NOW, THEREFORE, BE IT RESOLVED, that the request for amendment to the Town of Canandaigua Zoning Map be (insert decision)

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

9. A motion was made by Councilperson Brandt, seconded by Councilperson Fuller, to

Canandaigua Town Board – 5/17/10

purchase two seats of Pictometry On-Line (POL) in the amount of \$1,380.00 for one year.
5 ayes: Fennelly, Helming, Fuller, Brandt, Casella

10.Motion made by Councilperson Brandt, seconded by Councilperson Fennelly,
to appoint Deborah Burger to the position of Health Officer with term ending 05/31/2014
5 ayes: Fennelly, Helming, Fuller, Brandt, Casella

11.Motion made by Councilperson Brandt, seconded by Councilperson Fennelly,
to appoint Kevin Landrigan to the Parks and Recreation Committee with term ending
12/31/14.
5 ayes: Fennelly, Helming, Fuller, Brandt, Casella

PRIVILEGE OF FLOOR

Yvonne Chavez - Middle Cheshire Rd asked if the Town was following what was in the fee
schedule. Asked if an applicant had requested a waiver for late fees.

Attorney Brocklebank - stated that RSM is current.

The meeting was adjourned at 9:57 pm

Judith H. Carson
Town Clerk