

Canandaigua Town Board
Special Meeting
November 2, 2011
4:00 p.m.

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

Others present: Kevin Reynolds, Yvonne Chavez, Karen Parkhurst, and Carol/David Ingle

4:00 pm workshop-zoning updates, and budget workshop

Pledge of allegiance lead by Councilperson Fuller

7:02 pm Supervisor Casella opened the public hearing on a Local Law "Tax Cap Override", and advised it had been properly advertised.

Supervisor Casella explained that this action would protect the Town in case the comptroller's office did an audit and found an error. If an error was found the Town would have to come up with that money as soon as practicable and it would be put into a reserve set up by the Comptroller's office. The following year it would be refunded and applied towards the Town's budget. Given that the Comptroller's office does not perform annual audit functions for every town, any clerical or technical error is compounded until it is discovered by the Comptroller's office.

This override is only good for the fiscal year of 2012.

Discussion.

Karen Parkhurst-not in favor of the Tax Cap.

Carol Ingle – not in favor of the Tax Cap.

David Ingle-not in favor of the Tax Cap

Kevin Reynolds-not in favor of the Tax Cap

Letter received from Jack Kellogg opposed to the Tax Cap.

Supervisor Casella adjourned the hearing at 7:40 p.m.

Supervisor Casella opened the public hearing on the 2012 budget at 7:49 pm. and advised it had been properly advertised.

Supervisor Casella read his summary statement of the 2012 budget.

There was a discussion on a COLA for Town employees. It was decided that there would be no increase for 2012.

Discussion on what the tax rate should be for the upcoming year. It was agreed that the tax rate would increase by 3 cents.

Karen Parkhurst-agreed with the 3 cent increase.

Kevin Reynolds-opposed to the tax increase.

Discussion followed on fund balance and what it is used for.

Supervisor Casella closed the public hearing at 8:55 pm.

Supervisor Casella reopened the public hearing on the Local Law "Tax cap override" at 8:50 pm.

TOWN OF CANANDAIGUA

RESOLUTION ADOPTING LOCAL LAW ____ OF 2011

Moved by Councilperson Brandt, seconded by Councilperson Fennelly,

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Canandaigua for a public hearing to be held by said Town Board on November 2, 2011 at 7:00 pm at the Town Hall at 5440 Route 5 & 20 West, Canandaigua, New York, to hear all interested parties on a proposed local law that would over ride the tax levy limit established in General Municipal Law 3-c, and

WHEREAS, notice of said public hearing was duly advertised in the Daily Messenger, the official newspaper of the Town of Canandaigua on October 28, 2011, and

WHEREAS, said public hearing was duly held on November 2, 2011 at 7:00 pm at the Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof, and

WHEREAS, the Town Board of the Town of Canandaigua, after due deliberation, finds it in the best interest of the Town of Canandaigua to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Canandaigua hereby adopts said Local Law #__ of the year 2011, a copy of which is attached hereto and made a part of this resolution and be it further,

RESOLVED, that the town Clerk is directed to enter said Local Law in the Local Law Book of the Town of Canandaigua, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

1 aye: Casella 4 nays: Fennelly, Helming, Fuller, Brandt

Supervisor Casella closed the public hearing at 8:55 pm.

The following was moved by Councilperson Brandt, seconded by Councilperson Fennelly,

WHEREAS, the Town Board has met at the time and place specified in the notice of the public hearing on the preliminary budget and heard all persons desiring to be heard thereon; therefore be it

RESOLVED, that the preliminary budget, be herein adopted, as amended with a tax rate of \$1.14, as the annual budget of the Town of Canandaigua, which includes the water district budget, lighting district budgets, drainage district budgets and the fire protection district budget for the fiscal year beginning on the 1st day of January 2012, and that such budget so adopted be entered in detail in the minutes of the proceedings of this Town Board, and be it,

FURTHER RESOLVED, that the Town Clerk of this Town shall prepare and certify in duplicate copies of said annual budget as adopted pursuant to Section 202-A, Subdivision 2 of the Town Law to the Board of Supervisors of this County.

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

(EXHIBIT I)

The meeting was adjourned at 9pm.

Judith H. Carson
Town Clerk

