

Canandaigua Town Board
Regular Meeting
March 28, 2011

Present: Terry Fennelly	Councilperson
Pam Helming	Councilperson
Oksana Fuller	Councilperson
Ralph Brandt	Councilperson
Sam Casella	Supervisor
Derek Brocklebank	Attorney for the Town
Jim Fletcher	Highway Superintendent

Others present: Dennis Brewer, Bob Cantwell, Lew Smith, Fred Goodnow, Jill Pollack, George Herren, Kevin Cotter, Jack Kellogg, Yvonne Chavez and others who did not sign in.

6:30 pm Ed Perego, CIG-reviewed this year's insurance quotes with the Town Board.

7:00 pm - Supervisor Casella called the meeting to order

Pledge of allegiance lead by Councilperson Fuller

Moved by Councilperson Brandt, seconded by Councilperson Helming to approve the minutes of March 7, 2011.

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

Moved by Councilperson Fuller, seconded by Councilperson Brandt that after review and audit of abstract # 5 -\$91,621.63 general fund, \$115,406.23 highway fund, \$18,656.57 water fund, \$9,341.89 sewer capital project, \$16,945. Hickox Rd. water capital project, \$79.72 Fox Ridge lighting, \$141.42 Centrepoint lighting, \$24.32 Lakewood Meadows lighting, \$105.87 Fallbrook Meadows lighting that the bills be paid.

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

PUBLIC HEARINGS

Supervisor Casella opened the public hearing at 7:03 pm regarding possible application for funds from the 2011 Community Development Block Grant program through the NYS Office of Community Renewal and advised it had been properly advertised.

Tim Jensen – we previously applied for a grant for the Purdy/Mobile Road sewer. The Town could re-apply for this grant or consider other areas for community grants. These grants can be for infrastructure, housing, and special projects improvements. The grants are for low to moderate income areas. The grants are usually around \$500,000, and are very competitive.

It was the consensus of the board to continue to pursue the Purdy/Mobile Road sewer.

Supervisor Casella closed the public hearing at 7:14 pm.

PRIORITY BUSINESS

Bob Cantwell, BME- reviewed the Traffic Impact Study for the Hammocks located at the City and Town line on Bristol St. The proposed development includes the construction of 198 apartment units in the Town and 34 patio homes in the City. The study was conducted at 6 intersections and determined that no intersection improvements or traffic signals would be needed. He requested that the public hearing date and referral to the OCPB be established for the Re-zoning of the property from R1-20 to Multiple Residential. A short discussion followed on the traffic study.

Dave LeClair, CEO- discussed the quotes he had received for the fire alarm system for Gorham hall. They discussed the pros and cons of the quotes from SG Security and Newark Electric Corp.

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

WHEREAS, improvements to life safety that include a monitored fire alarm system have been proposed for Onanda Park; and,

WHEREAS, the Town Board should give proper consideration to life safety improvements by reviewing the attached proposals and selecting a competent company while recognizing budgetary constraints; now, therefore, be it

RESOLVED, that upon review of the three quotes provided to the Town Board at their regular meeting on March 28, 2011, Newark Electric has been chosen to install and monitor fire alarms at Gorham Hall in Onanda Park at a cost of \$10,580.88.

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

George Herren, CCATS –introduced Jill Pollack, president of CCATS - they have unanimously passed a resolution in support of the committee for “The Cheshire Meeting Hall” to apply for a NYS Main Street Grant.

Fred Goodnow- reviewed the “The Cheshire Meeting Hall “project milestones. The building was purchased in 2009 by the Cheshire Community Action Team (CCAT). They have a two phase business plan 1) funds and renovations 2) what to do after use is completed. They need a letter of support from the Town which will be made part of the grant application. They would also like the DOD to be able to advise them with the grant.

Tim Jensen – DOD, advised that applying for the grant in 2012 would be more viable so they could have more information to give the grant more merit.

Moved by Councilperson Brandt, seconded by Councilperson Helming

Town of Canandaigua Town Board Resolution
in support of a 2011 NEW York State Main St. grant program application made by the Cheshire
Community Action Team
for Renovation of the Cheshire meeting hall

WHEREAS, the Cheshire Community Action Team (CCAT), a legally created not for profit organization, is making application to the NYS Main Street Program for a grant to fund renovation of the Cheshire Meeting Hall at 4270 State Route 21, South in the Hamlet of Cheshire, and

WHEREAS, the grant program requires a formal resolution from the Town Board supporting said grant application, and

WHEREAS, CCAT is also seeking technical assistance from Town Staff to assemble the grant application which is due on April 29th, 2011, and

WHEREAS, a goal of the 2005 Town of Canandaigua Comprehensive Plan is preservation of historic qualities of the Hamlet of Cheshire, and

WHEREAS, the Hamlet of Cheshire Master Plan adopted in 2004 also encourages protection and renovation of historic structures such as the Cheshire Meeting Hall, and now, therefore be it

RESOLVED, that the Town Board does hereby offer its support for the grant application being made by the CCAT to fund renovation of the Cheshire Meeting Hall, and further

RESOLVED, that the Director of Development is hereby directed to assist the CCAT with completion of the grant application.

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

PRIVILEGE OF THE FLOOR

No one spoke

PRESENTATION OF PETITIONS, COMMUNICATONS AND CORRESPONDENCE

- The Lake Report
- Inside Dirt

HIGHWAY DEPARTMENT REPORT - Jim Fletcher

1. RG&E will be installing power to the gates soon.

2. The sewer line has had its final comments from the County and we are addressing them so that they can sign off on it. Construction could start in early summer.
3. Surveying Middle Cheshire Road for road construction.
4. The Hickox Road water project is at DOH waiting for approval. Will be putting out bids for pipe this month.
5. Will be removing and replacing the PRV on Foster Road this spring. The valve needs to be rebuilt and the vault is not water tight anymore.
6. Shower building at Onanda will be done by the end of the month.
7. Will be starting the new play ground.
8. Working on parking lot at Barnes Road Gully.

Short discussion on accessing monies from the Park and Recreation fund for park maintenance and equipment. Attorney Brocklebank confirmed that we cannot access monies for these purposes as it is a State statue and we cannot modify it.

DEVELOPMENT OFFICE REPORT – Tim Jensen

Wyffels PDR: Nothing new to report.

Outhouse Park: The draft contract has been signed. That and other required paperwork has been sent to the State. A call to Laurie Moore at the NYS Office of Parks & Recreation confirmed that costs incurred by the Town from here on in are eligible for reimbursement.

Comp Plan: The comp plan committee met on 3/23 to go over the plan recommendations. Discussion centered on how to simplify the language and provide clearly described actions and policies aimed at achieving the goals and objectives. The final draft is scheduled to be completed by the third week in April.

Fees: The draft has been revised and after another meeting with the Town Board Attorney, is ready for your consideration but I'd still like to wait until a future meeting to discuss it. There's issues related to the Parks & Recreation Fee.

2011 Code updates: Staff continues to work with the consultant on subdivision procedures as well as the SUP recommendations.

Villas Trail: Nothing to report.

SUPERVISORS REPORT

Discussed a targeted retirement program for 2 highway workers. The Board thought it was a good idea to proceed with it has it would eliminate two positions. A resolution will be presented at the 4/18 meeting.

REPORTS OF ANY STANDING COMMITTEES

No reports

REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS

Dennis Brewer - Parks committee

- Summer guide is out
- Will be interviewing for summer help
- The trails committee will be walking the Peanut Line on 4/11. Would like to have the dedication for the trail on the first Friday in June as it is National Trail Day.

RESOLUTIONS: 3/28/11

1. Moved by Councilperson Brandt, seconded by Councilperson Fuller, that the Town Historian attend the APHNYS (Association of Public Historians New York State) conference in Elmira on April 4 – 6, 2011 at a cost of \$95.00 plus travel expenses

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

2. Motion moved by Councilperson Brandt, seconded by Councilperson Helming, BE IT RESOLVED, that the Town of Canandaigua hereby established the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these by these officials to the clerk of this body.

TITLE	NAME	STANDAR RD WORK DAY	Term begins/ends	EMPLOY ER RECORD OF	DAYS/MONT H (BASED ONRECORD	Tier 1
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		(Hrs/day)		TIME WORKED	OF ACTIVITIES)	
Supervisor	Samuel Casella	8	01/01/10-12/31/2013	n	14.5	
Town Clerk	Judith Carson	8	01/01/10-12/31/2013	n	20	
Hwy. Superintendent	James Fletcher	8	01/01/10-12/31/2013	n	20	
APPOINTED						
Director of Development	Tim Jensen	8	10/27/09-12/31/11	n	20	
Bookkeeper	Deborah Trillaud	8	01/01/10-12/31/11	n	20	
Constable	Karl Nelson	6	01/01/2010-12/31/11	n	1.5	
Court Clerk	Cynthia Woolley	8	01/01/2010-12/31/13	n	9.5	
Planning Board	Tom Crawford	6	01/01-11-03/31/14	n	1.6	

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

3.Moved by Councilperson Brandt, second by Fennelly.

To accept the bid from Five Star Equipment for One New Unused John Deere 2011 644 K four wheel loader for the amount of \$ 181,749.00.

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

4.Moved by Councilperson Helming, seconded by Councilperson Fuller,

**TOWN OF CANANDAIGUA TOWN BOARD RESOLUTION
TO SET A 2nd PUBLIC HEARING DATE FOR APPLICATION TO THE
2011 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**

WHEREAS, the Federal Housing and Community Development Act encourages citizen participation both in the preparation of CDBG applications and throughout the implementation of local CDBG projects, and

WHEREAS, to that end, the CDBG program specifically requires that, before making application for CDBG funds, the Town hold a minimum of two public hearings, each at a different stage of the application process, for the purpose of obtaining citizens' views and responding to proposals and questions, and

WHEREAS, the Town Board held the first hearing on March 28, 2011 to allow consideration of possible community development projects, and

WHEREAS a second public hearing is required to solicit public comment regarding proposed application for funds related to specific projects, and now therefore be it,

RESOLVED, that a public hearing be held by the Town Board on April 18th, 2001 at 7:00 pm, in the Town Hall, Town of Canandaigua, New York to solicit public comment regarding application for CDBG funding for the following specific proposals:

- 1) \$600,000 to fund extension of sanitary sewer along Purdy Rd and Mobile Rd
 - 2) Others to be decided at the 3/28/11 meeting
- 5 ayes: Fennelly, Helming, Fuller, Brandt, Casella

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

**Town of Canandaigua Town Board Resolution
Contract Extension and Budget transfer for the
2010-11 Comprehensive Plan Update**

WHEREAS, on April 12, 2010 an agreement for services was executed between the Town of Canandaigua and Environmental Design and Research, P.C. (the agreement)

WHEREAS, the agreement states: *“The term of this Agreement shall commence on April 12, 2010 and shall terminate upon completion of services to be rendered by the Town to the consultant [sic] but in any event on December 31, 2010 except as extended by the Town in writing (the “Term”)”*, and

WHEREAS, additional work described in Exhibit A-1 of the agreement has yet to be completed, and now, therefore be it

RESOLVED, that the term of the above agreement is hereby extended to ~~October~~ July -1, 2011, and further

RESOLVED, that all other terms and conditions of the agreement shall remain unchanged and in effect, and further

RESOLVED, that the following budget transfer shall be made to allow payment for completion of the work described in Exhibit A-1 of the agreement:

From: F1990.400	Contingency	\$4,150.35
To: A8020.430	Comprehensive Plan Update	\$4,150.35

Moved to amend by Councilperson Brandt, seconded by Councilperson Fuller

5 ayes: Fennelly, Helming, Fuller, Brandt, Casella. Moved as amended 5 ayes: Fennelly, Helming, Fuller Brandt, Casella

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

TOWN OF CANANDAIGUA TOWN BOARD RESOLUTION

PUBLIC HEARING DATE AND REFERRAL TO COUNTY PLANNING BOARD AMENDING TOWN CODE – ALLOWBLE USES IN THE INDUSTRIAL DISTRICT

WHEREAS, the Town Board, is considering a local law to amend the list of allowable uses in the Industrial District to include motor vehicle service and repair stations, and

WHEREAS, NYS Town Law requires that the Town Board hold a public hearing before deciding on said law, and

WHEREAS, NYS General Municipal Law requires that the local law be referred to the Ontario County Planning Board for review, and

NOW, THEREFORE, BE IT RESOLVED, that a public hearing by the Town Board to solicit public comment regarding the possible enactment said local law will be held on April 18th, 2011 at 7:00 p.m., in the Town Hall, Town of Canandaigua, New York, and further

RESOLVED, that the proposed local law along with all other relevant materials be referred to the Ontario County Planning Board for review at their April 13th meeting.

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

7.Moved by Councilperson Brandt, seconded by Councilperson Helming

TOWN OF CANANDAIGUA TOWN BOARD RESOLUTION

PUBLIC HEARING DATE AND REFERRAL TO COUNTY PLANNING BOARD REZONING OF A PORTION OF TAX MAP PARCEL 83.00-1-7.00 FROM R-1-20 TO MULTIPLE RESIDENTIAL

WHEREAS, the Town Board, is considering a local law to rezone the above described property, and

WHEREAS, NYS Town Law requires that the Town Board hold a public hearing before deciding on said law, and

WHEREAS, NYS General Municipal Law requires that the local law to amend the Town's Zoning Map be referred to the Ontario County Planning Board for review, and

NOW, THEREFORE, BE IT RESOLVED, that a public hearing by the Town Board to solicit public comment regarding the possible enactment said local law will be held on April 18th, 2011 at 7:00 p.m., in the Town Hall, Town of Canandaigua, New York, and further

RESOLVED, that the proposed local law along with all other relevant materials be referred to the Ontario County Planning Board for review at their April 13th meeting.

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

8.Moved by Councilperson Brandt, seconded by Councilperson Helming ,
To purchase (1) Trimble hand held data collector, software for billing, laptop computer, 350 complete Water meters, and 1,000 new Orion ERT to retro fit old water meters from Irton to Orion
Trimble reader \$ 9,900.00

BSA Software for billing \$ 9,740.00

350 complete water meters @ \$150.00 a meter is \$ 52,500.00

1,000 Orion ERT's to retro fit to the excising water meter @ \$ 100.00 each \$ 100,000.00

TOTAL \$172,141.00

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

9.Moved by Councilperson Helming, seconded by Councilperson Fuller,

Transfer: From: F-599 \$125,000 TO F- 8340-450 \$ 125,000.00.

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

10.Moved by Councilperson Brandt, seconded by Councilperson Fuller, for the Supervisor to sign the MRB proposal for the Richard P. Outhouse Park dated 3/21/11 in the amount of \$30,900.

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

11.Moved by Councilperson Brandt, seconded by Councilperson Fuller, to approve a Town standardized contract. Discussion.

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

12.Moved by Councilman Brandt, seconded by Councilperson Fuller for the Town to have Selective has their insurance from 4/1/11-3/31/12.

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

OTHER BUSINESS

Discussion on sidewalks being installed on Lakeshore Drive. Supervisor Casella said the County is looking into this.

Moved by Councilman Brandt, seconded by Councilperson Fuller to move into executive session to discuss pending litigation and the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation at 9:12pm.

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

The board moved out of executive session at 9:30 pm.

The meeting was adjourned at 9:30 pm.

Judith H. Carson
Town Clerk