

Canandaigua Town Board
Regular Meeting
February 14, 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
Don Collins Assessor

Others present: Jeff Leenhouts, Jeff Moulton, Mike Northrup, Linc Swedrock, Lew Smith, Joe Proe, Yvonne Chavez, Jean Chrisman and others who did not sign in.

6:00 pm -Workshop with Jane Rice from EDR on updating the Town's Master Plan.

7:00 pm – Supervisor Casella called the Regular Meeting to order.

Pledge of allegiance.

Moved by Councilman Brandt, seconded by Councilman Fennelly that the minutes of January 24 and 31, 2011 be approved.

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

Moved by Councilman Brandt, seconded by Councilman Fennelly that after review and audit of abstract #3 \$70,397.03 general fund, \$159,637.59 highway fund, \$3,352.33 water fund, \$11,599.00 Sewer Capital fund, \$10,705.00 Hickox Rd. water capital fund, \$170.17 Risser Road water district, \$331.56 Andrews/North Rd. Ext., \$32,516.86 Cdga/Farm water, \$60,766.97 Cdga/Hopewell water, \$162.20 Emerson Allen water district, \$19,281.00 Fire protection, \$240.73 Fox Ridge lighting, \$214.70 Centrepoint lighting, \$36.44 Lakewood Meadows lighting, \$121.73 Fallbrook Meadows lighting that the bills be paid.

3 ayes: Fennelly, Brandt, Casella 2 abstain Fuller, Helming

PRIORITY BUSINESS

Eric Bond – gave a preview on the Health Care and Health Reimbursement plans. Reviewed projected rates for MVP and Excellus. On May 9th he will come back with accurate numbers for the July 1st renewal.

Moved by Councilman Brandt, seconded by Councilperson Fuller to move into executive session for proposed acquisition sale or lease of real property at 7:45 pm. Invited Mike Northrup and Jeff Moulton into the session.

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

The board moved out of executive session at 8:06 pm.

Supervisor Casella reconvened the meeting at 8:06; pm.

Jeff Leenhouts-Home Leasing "Old Brookside", when the planning board granted preliminary subdivision approval in 2001, they included a condition that the applicant designate ownership and maintenance of the open space lands within seven years of the date of preliminary approval. Old Brookside is proposing that the open space lands, 62.1 acres, be conveyed to the Town of Canandaigua in the form of a Neighborhood Improvement District. Signatures have been collected over the years. When the assessed value is 51% of those that signed the petition than the Neighborhood Improvement District can be formed. The trails and playground have been developed

The trails committee has walked the trails and found that the trail has potential and they are in favor of this. ~~town taking it over.~~ 3/7/11

The next step is for Mr. Leenhouts to get together with the assessor and review the petition.

PRIVILEGE OF THE FLOOR

Linc Swedrock-BME, Morrell's are requesting a modification to the Grading Permit for Lakewood Meadows, Section 7A. Explained that at the pre-construction meeting it was the general consensus that a temporary storm sewer be installed from the existing pond in Section 6 to Section 7A where the grading operations will be occurring. The temporary storm sewer would be installed to Town specs. Once installed it would collect runoff from the exposed grading in Section 7A and convey it to the pond.

Jean Chrisman-Zoning Officer handed out the proposed Uniform Docking and Mooring Law. The Canandaigua Lake Watershed Council reconvened the Docks and Moorings Committee to make the necessary changes to the law based on the issues that had come about due to recent litigation. Reviewed the adoption process. At the March meeting resolutions will be provided to accept the law in its final form and to begin the SEQR process.

PRESENTATION OF PETITIONS, COMMUNICATIONS, AND CORRESPONDENCE

- The Inside Dirt
- Time Warner Cable letter
- Cornell Cooperative Extension letter regarding Camp Bristol Hills
- Ontario County Soil & Water Conservation 2011 tree and shrub program
- Buckeye Partners, L.P. regarding pipeline
- RG&E regarding street lighting adjustments due to field survey

HIGHWAY REPORT – Jim Fletcher

1. New lift is installed.
2. The winter has been hard on some of the older roads and they are starting to crack.
3. Greg Hotaling is finishing up with the Army Corp of Engineers for the permits for the Town's sewer line.
4. The approximate price to install two mechanical operated gates 5'x28' would be \$19,000. You would press a button to open and it would automatically close behind you. Could be programmed to be open at certain times. The Board was all in agreement to proceed with installing the gates.
5. John Murphy will be here in March to discuss the water meters.
6. The Onanda shower house is done.
7. The Outhouse Park plans were reviewed at the Parks Committee.
8. Working with the Town attorney on posting road signs for snow removal.

DEVELOPMENT OFFICE – Tim Jensen

- Wyffels PDR: Spoke with Jason Engle from NYSDAM and he has completed his initial review of the application and just needed some clarification on the budget.
- Outhouse Park – Met with Dennis Brewer and the Town Engineer to discuss design and engineering for the various buildings and other improvements on the park.
- Fee – The Planning Board attorney has some ideas on how to simplify the Fees chapter and bring it into compliance with NYS Town Law. A revised chapter will be draft, and reviewed with the Town Attorney and presented to the Town Board on 3/7.
- Hammock Apartments (formerly Amber Meadows) will be returning to the Planning Board with a revised concept plan on 2/22. They will also be seeking approval for the City portion of the project, which changes the review process a bit.

ASSESSORS REPORT-Don Collins

- Will publish the tentative roll on the web site. Also, expanding the website to include more detail on farmland sales, tear downs, and sales.
- Waiting for NYS legislation (budget) on how it will impact the Town.
- Continuing to see a relatively flat market in the Canandaigua area on sales. Land prices are rising on farm land sales and homes on 10 acres or more. Small ranch style home sales are strong. Weaker sales are in the \$250,000 to \$500,000 on residential homes off the lake or with no lake view.
- At the time of the transfer of land from John Miller to the Town there was an oversight of school taxes being paid and the Town should have paid \$229.37. Motion to follow.

SUPERVISOR'S REPORT

- We need to appoint 2 people to the Auburn Trail Study. Motion to follow.
- We are all saddened with the passing of Pat VanDyne. She was a true asset to the Town and will be truly missed.

- Barb Rose has resigned from the Parks and Trails committees. Gary Davis has resigned the Chairmanship of the ZBA.

REPORTS OF ANY STANDING COMMITTEES

No reports

REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS

No reports

RESOLUTIONS AND MOTIONS

1. A motion was made by Councilperson Brandt, seconded by Councilperson Fuller, to set the following positions and rates for the parks and recreation summer program 2011.

Recreation Specialist: \$9.00 - per hour. Teaching arts and crafts. July-August. Approx. 144 hours. (2 positions)

Recreation Assistant: \$9.00 per hour. Assisting with arts and crafts. July-August. Approx. 108 hours. (2 positions)

Recreation Specialist: \$9.00 per hour. Teaching preschoolers. July-August. Approx. 165 hours. (1 position)

Approx. 133 hours. (2 positions)

Recreation Specialist: \$9.00 per hour. Teaching physical fitness and games. July-August. Approx 60hours. (2 positions)

Recreation Specialist: \$9.00 per hour. Teaching fishing and canoeing. July-August. Approx. 80 hours. (1 position)

Recreation Specialist: \$9.00 per hour. Teaching the Nature Nuts Program. July-August. Approx. 175 hours. (1 position)

Recreation Assistant: \$9.00 per hour. Assisting with the Nature Nuts Program. July-August. Approx. 160 hours. (2 positions)

Senior Lifeguard: \$11.00- per hour. Responsible for the total swimming program. Memorial Day to Labor Day. (1 position)

Lifeguards: \$10.35 per hour. Memorial Day-Labor Day. Red Cross Advanced Lifesaving Certificate and valid CPR certificate. (8 positions and 3 subs)

Gate Attendant: \$8.25 per hour. June-Labor Day. (5 positions and 2 subs)

Adult Classes: \$9.00 per hour. Teaching canoeing and an arts class. July-August. Approx. 80 hours. (2 positions)

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

2. TABLED - Moved by Councilperson _____, seconded by Councilperson _____,

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

WHEREAS, three quotes have been obtained from companies who provide fire alarm installation and monitoring services; 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 February 14, 2011, _____ has been chosen to install and monitor fire alarms at Gorham Hall in Onanda Park at a cost of \$_____.

3. Moved by Councilperson Helming, seconded by Councilperson Brandt, that Graham Smith be appointed the Zoning Board of Appeals Chairman to replace Gary Davis for the year 2011.

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

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

Re: Resolution Scheduling Public Hearing on Proposed Local Law # of 2011

WHEREAS a local law, being proposed Local Law No. of 2011, which is on file in the Clerk's office, was introduced at this meeting by a member of the Town Board, and

WHEREAS the Town Board desires to hold a public hearing with respect to the adoption of said Local Law,

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held by the Town Board with respect to the adoption of the aforesaid local law at 7:05 p.m. on March 7, 2011, at the Town Hall of the Town of Canandaigua, 5440 Route 5 & 20 West, New York, and it is further

RESOLVED that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

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

5. The motion was made by Councilman Brandt, seconded by Councilman Fennelly to make the following budget transfers for 2010 :

From:	SL41990.400 Contingency	\$ 1,191.00
	SL45182.400 Utilities-Electric	\$ 3,337.96
	To:SL45182.240 Machinery Equipment	\$ 4,528.96

To cover the cost of two new street lights (poles & fixtures) at the south end of Chatham Lane. (Lakewood Meadow Lighting District)

From:	F8310.410 Legal Services	\$ 295.00
To:	F8310.450 Engineering	\$ 295.00

In order to cover MRB costs for completing the Hydraulic Analysis Update.

From:	D5142.130 Snow Removal Wages	\$30,000.00
	D5142.400 Snow Removal Contractual	\$20,000.00
To:	D9950.915 Interfund transfer for Sewer Project	\$50,000.00

Half of the Town Sewer Project approved by the Town Board at the 12/28/10 Special Meeting.

From:	D5130.410 Machinery Fuel Metering	\$790.01
To:	D5130.200 Machinery Equipment	\$790.0

To cover the cost of a new grease pump for the Highway Garage.

From:	A1990.400 Special Contingency	\$81,246.81
To:	A1420.400 Attorney-Certiari	27,932.26
	A7989.400 FLLTV 12 Support	\$ 1,700.00
	A9950.970 Interfund transfer for sewer project	\$50,000.00
	A1355.131 Assessor-Aide	\$ 705.53
	A8010.122 Zoning CEO Part-time	\$ 746.72
	A8010.131 Zoning Micro Computer Op	\$ 162.30

To pay for unforeseen certiari litigation expenses (i.e. Ferris Hills Senior Community, Centerpointe, Polisseni); FLCC college public broadcasting support; Half of the Town Sewer Project approved by the Town Board at the 12/28/10 Special Meeting; Assessor Aide substitute when Assessor's aide was out for a medical operation; To cover expense of Part-time CEO salary To cover salary expense partial payroll reporting- 1st payroll of year;

From:	A8010.200 Zoning Inspector Equipment	\$4,882.00
To:	A8010.400 Zoning Inspector Contractual	\$4,882.00

The total amount budgeted in the Zoning Inspector's lines is enough to cover total 2010 expenses, however, the distribution needs to be changed. This budget transfer is to cover the cost of the SDG GIS software.

From:	A8010.142 Zoning Typist P/T	\$ 378.79
To:	A1355.134 Office Specialist P/T	\$ 378.79

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

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

WHEREAS, NYS Town Law and the Town of Canandaigua Zoning regulations require Planning Board members to obtain the necessary number of training hours annually; and,

WHEREAS, Monroe County Department of Planning & Research is offering training sessions which meet these training requirements and are being offered @ Monroe Community Hospital on March 16, March 21, March 30, April 6, and April 11; and,

WHEREAS, monies specifically allocated for this training are available in A8020.400 leaving a balance of approximately \$5,750 after payment for this training;

NOW THEREFORE, BE IT RESOLVED, that Thomas Schwartz at a cost of \$25, Charles Oyler at a cost of \$50, and Joyce Marthaller at a cost of \$50 attend these courses at Monroe Community Hospital on the dates identified.

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

7. Moved by Councilperson Brandt, seconded by Councilperson Fuller, to approve the proposal from MRB Group, for relocating the chlorine equipment room to Day Road Water Tank site at a cost of \$8,500. Cost includes a site drawing, a chemical feed layout, letter to the Department of Health and final building construction plans.

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

8. Moved by Councilperson Helming, seconded by Councilperson Brandt,

TOWN OF CANANDAIGUA TOWN BOARD RESOLUTION
TO SET PUBLIC HEARING DATE FOR PROPOSED AMENDMENT TO
CHAPTER 18 OF TOWN CODE

WHEREAS, the Town Board has identified the need to modify Chapter 18 of Town Code which Establishes the powers and duties of the Environmental Conservation Board, and

WHEREAS, on January 31, 2011 the Town Board held a public work shop to review the draft local law and make changes needed to create a final draft suitable for public review, and

WHEREAS, the Town Board has received the amended final draft 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 to allow public comment regarding with the proposed enactment of said local law will be held on March 7, 2011 at 7:00 pm, in the Town Hall, Town of Canandaigua, New York.

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

9. Moved by Councilperson Brandt, seconded by Councilperson Fuller

TOWN OF CANANDAIGUA TOWN BOARD RESOLUTION
MODIFICATION OF GRADING PERMIT FOR LAKEWOOD MEADOWS, SECTION 7A

WHEREAS, pursuant to Town Code §174-7, part M on 1/24/11 the Town Board *conditionally* approve the request from S & J Morrell, Inc., pending review, to begin site preparation in advance of final Planning Board approval of the Section 7A of the Lakewood Meadows subdivision; and

WHEREAS, that request did not include installation of any utilities; and

WHEREAS, the applicant is now requesting to be allowed to install a 1,260' temporary storm sewer as part of the site work, and

WHEREAS, as of 2/14/10, the Town Engineer as well as representatives from both the Canandaigua Lake Watershed Council and Canandaigua Lake Watershed Commission have reviewed the proposal for grading Section 7A, including the storm sewer and provided specific comments, and

WHEREAS, on 2/8/10 the Planning Board reviewed the request and gave a positive/negative recommendation regarding the additional proposed work, and now therefore be it

RESOLVED, that the request for a grading permit of the Lakewood Meadows subdivision to

commence site grading for Phase 7A, is hereby modified to allow installation of a 1,260' temporary storm sewer as part of the site work as described in the final subdivision plans previously approved by the Planning Board subject to the following conditions:

that the Town CEO retains the right to require modification of the approved storm water and erosion control measures as conditions may dictate and issue stop work orders as necessary to address ongoing or anticipated problems.

Discussion.

Moved by Councilman Fennelly, seconded by Councilperson Helming that the above be amended

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

Approved as amended: 5 ayes: Fennelly, Helming, Fuller, Brandt, Casella

10.Moved by Councilperson Brandt, seconded by Councilperson Fuller, to surplus the Minolta copier, item #1173 from the inventory list.

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

11.Moved by Councilman Brandt, seconded by Councilperson Fuller, to have MRB do a site plan study of the Town complex.

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

12.Moved by Councilman Brandt, seconded by Councilperson Helming, to reimburse John Miller \$229.37 for school taxes due to an oversight at the time of closing when the Town acquired the land.

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

13. Moved by Councilperson Helming, seconded by Councilman Brandt, that the Supervisor sign the agreement with EDR for updating the Town's Master Plan for \$30,000.

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

Moved by Councilman Brandt, seconded by Councilperson Fuller to move into executive session at 9:55 pm to discuss proposed acquisition sale or lease of real property, pending litigation and the medical, financial, credit or employment history of a particular person or corporation

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

The board moved out of executive session at 10:40 pm.

The meeting was adjourned at 10:40 pm.

Judith H. Carson

Town Clerk