

Canandaigua Town Board Meeting Agenda for January 8, 2024 Organizational Meeting

6:00PM – Onnalinda Room

- Call To Order and Pledge of Allegiance
 - Pledge led by Supervisor Jared Simpson
- Roll Call
 - Town Clerk Confirmation meeting was properly advertised
- Circulation of Written Communications
- Privilege of the Floor
- Priority Business
 - Birthdays

ZOOM MEETING INFORMATION:

Please register in advance of this meeting using the following link:

https://us02web.zoom.us/join/ztYqC-GtqTotH92PBu15q7_hCirh9kEvA6VV

After registering, you will receive a confirmation email containing information about joining the meeting.

Please be aware all participants will be muted upon entry to the meeting and will only be able to speak after being acknowledged. Participants should use the “raise hand” feature or the chat box to request to speak. No screen sharing will be permitted. All meetings are recorded. Individuals will be removed from the meeting for inappropriate behavior.

TOWN SUPERVISOR APPOINTMENTS

1. Pursuant to Arts and Cultural Affairs Law, §57.07, the Canandaigua Town Supervisor does hereby designate _____ as the Town Historian for a term expiring on December 31, 2024.
2. Pursuant to Town Law, §103(2), the Canandaigua Town Supervisor does hereby designate _____ as the Budget Officer for the Town of Canandaigua for a term expiring on December 31, 2024
3. Pursuant to Town Law, §103(2), the Canandaigua Town Supervisor does hereby designate _____ as the Deputy Town Supervisor for the Town of Canandaigua for a term expiring on December 31, 2024.

ACKNOWLEDGING TOWN CLERK APPOINTMENTS

1. Pursuant to Town Law, §30(10), Mrs. Heather Cross as the Deputy Town Clerk and Deputy Registrar of Vital Statistics;
2. Pursuant to Town Law, §30(10), Mr. Samuel Moore as the 2nd Deputy Town Clerk.

ACKNOWLEDGING HIGHWAY SUPERINTENDENT APPOINTMENT

1. Pursuant to Town Law, §32(2), the Canandaigua Town Highway Superintendent does hereby designate Mr. Chris Lietz as the Deputy Highway Superintendent for a term expiring on December 31, 2024.

➤ Presentations

New Public Hearings:

➤ None

➤ Reports of Town Officials and Department Heads

➤ Reports of Committees, Boards and Commissions (as needed)

A. Town Board Committees

- a. Finance
- b. Planning & Public Works
- c. Ordinance
- d. Economic Development

B. Planning Board

C. Zoning Board of Appeals

D. Environmental Conservation Board

E. Citizens' Implementation Committee

F. Parks & Recreation Committee

G. Special Events Committee

H. Agriculture Committee

I. Cemetery Committee

➤ Resolutions and Motions

New Resolutions:

ORGANIZATIONAL MEETING RESOLUTIONS

- Resolution No. 2024 – 001: 2024 Town Board Meeting Schedule
- Resolution No. 2024 – 002: Designation of 2024 Holidays
- Resolution No. 2024 – 003: Designation of Office Depository
- Resolution No. 2024 – 004: Designation of Official Newspaper & Ratio Station
- Resolution No. 2024 – 005: Payment of Bills Following Town Board Audit
- Resolution No. 2024 – 006: Payment of Bills Prior to Audit
- Resolution No. 2024 – 007: Establishment of Petty Cash Accounts
- Resolution No. 2024 – 008: 2024 Bid Purchases
- Resolution No. 2024 – 009: Mercy Flight Emergency Service Provider 2024 Payment Authorization
- Resolution No. 2024 – 010: Canandaigua Emergency Squad Emergency Service Provider 2024 Payment Authorization
- Resolution No. 2024 – 011: Ontario County Historical Society 2024 Payment Authorization
- Resolution No. 2024 – 012: Pine Bank Cemetery Board 2024 Payment Authorization
- Resolution No. 2024 – 013: Canandaigua Local Development Corporation, Inc. 2024 Payment Authorization

- Resolution No. 2024 – 014: Canandaigua Town Board Appointments
- Resolution No. 2024 – 015: Assignment of Certain Responsibilities to the Town Supervisor
- Resolution No. 2024 – 016: Designation of Professional Service Providers
- Resolution No. 2024 – 017: Countersigning Checks
- Resolution No. 2024 – 018: Use of Facsimile Signature
- Resolution No. 2024 – 019: Re-Adoption and Acknowledgement of Certain Town Policies and Procedures
- Resolution No. 2024 – 020: Temporary Assignment of Justices in the 7th Judicial District
- Resolution No. 2024 – 021: Handicap Parking Permit Issuing Agent
- Resolution No. 2024 – 022: Appointment of Town Court Clerks
- Resolution No. 2024 – 023: Adoption of the 2024 Fee Schedule

FINANCE

- Resolution No. 2024 – 24: Establishing 2023 Employee Wage Rates and Payment
- RESOLUTION NO. 2024 –25: AUTHORIZING FINANCE CLERK II TO CLOSE THE INVASIVE SPECIES REMEDIATION GRANT CAPITAL PROJECT (H28)
- RESOLUTION NO. 2024 – 26: AUTHORIZING FINANCE CLERK II TO CLOSE THE LGMRIF CAPITAL PROJECT (H32)
- RESOLUTION 2024- 27 : AUTHORIZING TOWN SUPERVISOR JARED SIMPSON TO APPROVE SURETIES
- RESOLUTION NO. 2024 – 28 CONFIDENTIAL SECRETARY BUDGET ADJUSTMENT

PLANNING / PUBLIC WORKS

ORDINANCE

- RESOLUTION NO. 2024 – 29: SETTING A PUBLIC HEARING TO ADOPT A LOCAL LAW TO AMEND TOWN CODE CHAPTER 220-9.1 SHORT TERM RENTALS; AND SEQR INTENT TO DECLARE LEAD AGENCY
- RESOLUTION NO. 2024 – 30: SETTING A PUBLIC HEARING TO RE-ADOPT A LOCAL LAW TO AMEND TOWN CODE CHAPTER 220-31 INCENTIVE ZONING
- RESOLUTION NO. 2024 – 31: SETTING A PUBLIC HEARING TO RE-ADOPT A LOCAL LAW TO AMEND TOWN CODE CHAPTER 220-33.2 AGRICULTURAL PROTECTION OVERLAY DISTRICT
- RESOLUTION NO. 2024 – 32: SETTING A PUBLIC HEARING TO RE-ADOPT A LOCAL LAW TO AMEND TOWN CODE CHAPTER 220-33.1 SCENIC VIEWSHED OVERLAY

ECONOMIC DEVELOPMENT / GENERAL

- RESOLUTION NO. 2024 –33: APPOINTMENT OF MOTOR EQUIPMENT OPERATOR
- RESOLUTION NO. 2024 – 34: APPOINTMENT OF MOTOR EQUIPMENT OPERATOR

- RESOLUTION NO. 2024 - 35: APPOINTMENT OF OFFICE SPECIALIST I
- RESOLUTION NO. 2024 - 36: 180 DAY EXTENSION FOR PRELIMINARY SITE PLAN APPROVAL ASSOCIATED WITH PENDING MUO REZONING APPLICATION FOR 2625 COUNTY ROAD 22 (TM# 71.00-1-21.141)
- RESOLUTION NO.2024 - 37: ACCEPTING PROPOSAL FOR PROFESSIONAL RECRUITMENT SERVICES FOR THE TOWN MANAGER VACANCY

RESOLUTION NO. 2024 – 001: 2024 TOWN BOARD MEETING SCHEDULE

BE IT RESOLVED:

1. As required by Town Law, §62 and §63, regular town board meetings will, throughout the year 2024, be held at 6pm on the 2nd and 4th Monday of each month. The meeting held on the 2nd Monday will be for special meetings, presentations, and workshops, including but not limited to the topics outlined below. The meeting held on the 4th Monday will be a REGULAR town board meeting with reports from department heads and resolutions. The following exceptions apply:
 - a. January 8th Organizational Meeting (January 8, 2024);
 - b. Special January meeting (January 31, 2024 Time TBD _____);
 - c. Second May Meeting (May 20, 2024)
 - d. First October Meeting (October 7, 2024)
 - e. First November Meeting (November 18, 2024).
2. The Town Board and/or The Town Supervisor may change the topics put forth in the following schedule.
3. The Town Board Rules of Procedure shall be amended to reflect these changes and submitted to the Town Board for approval.

Month	First Meeting Suggested Topics	Second Meeting
February	12th <ul style="list-style-type: none"> • BID Meeting • Capital Plan • Presentations from the ECB and Ag Committee 	26th <ul style="list-style-type: none"> • Regular Town Board Meeting
March	11th <ul style="list-style-type: none"> • Strategic Plan • Presentation from Planning Board and Zoning Board 	25th <ul style="list-style-type: none"> • Regular Town Board Meeting
April	8th <ul style="list-style-type: none"> • BID Meeting • Comprehensive Plan • Presentations from History Team, Tree Team and Cemetery Committee 	22nd <ul style="list-style-type: none"> • Regular Town Board Meeting
May	13th	20th

	<ul style="list-style-type: none"> • Capital Plan • Presentations from Parks Committee 	<ul style="list-style-type: none"> • Regular Town Board Meeting
June	10th <ul style="list-style-type: none"> • BID Meeting • Strategic Plan • Presentations from Special Events and Citizens Committee 	24th <ul style="list-style-type: none"> • Regular Town Board Meeting
July	8th <ul style="list-style-type: none"> • Comprehensive Plan • Presentations from the ECB and Ag Committee 	22nd <ul style="list-style-type: none"> • Regular Town Board Meeting
August	12th <ul style="list-style-type: none"> • BID Meeting • Capital Plan • Presentations from Planning Board and Zoning Board 	26th <ul style="list-style-type: none"> • Regular Town Board Meeting
September	9th <ul style="list-style-type: none"> • Strategic Plan • Presentations from History Team, Tree Team and Cemetery Committee 	23rd <ul style="list-style-type: none"> • Regular Town Board Meeting
October	7th <ul style="list-style-type: none"> • Budget Workshop 	28th <ul style="list-style-type: none"> • Regular Town Board Meeting
November	18th (Third Monday) <ul style="list-style-type: none"> • BID Meeting • Comprehensive Plan • Presentations from Parks Committee 	25th <ul style="list-style-type: none"> • Regular Town Board Meeting
December	9th <ul style="list-style-type: none"> • Capital Plan • Presentations from Special Events and Citizens Committee 	23rd <ul style="list-style-type: none"> • Regular Town Board Meeting

4. Special workshops may be called as required and allowed by Town Law, as ordered by the Town Supervisor, or when requested by two or more Town Board members.

5. Meetings will be held in the Town Hall, Lower-Level Meeting room at the Town Hall located at 5440 Route 5&20 West, Canandaigua, NY (Town Law § 62) and/or via Zoom videoconferencing available to anyone wishing to participate.
6. The Town Clerk is hereby directed to post the Town Board meeting schedule on the official bulletin and on the Town's website and to provide copies of the schedule to the local media and the Clerk of the Ontario County Board of Supervisors.

RESOLUTION NO. 2024 – 002: DESIGNATION OF 2024 HOLIDAYS

BE IT RESOLVED:

1. During the year 2024, the following holidays will be observed, and all Town Offices and the Waste and Recycling Center will be closed:
New Year's Day, Monday, January 1
Martin Luther King Jr. Day, Monday, January 15
President's Day, Monday, February 19
Memorial Day, Monday, May 27
Juneteenth, Wednesday, June 19
Independence Day, Thursday, July 4
Labor Day, Monday, September 2
Columbus Day, Monday, October 14
Veteran's Day, Monday, November 11
Thanksgiving Day, Thursday, November 28
Day after Thanksgiving, Friday, November 29
Christmas Day, Wednesday, December 25
2. The Town Clerk is hereby directed to post the Town Board Holiday Schedule and Closings on the official bulletin and on the Town's website and to provide copies of the schedule to the local media and the Clerk of the Ontario County Board of Supervisors.

RESOLUTION NO. 2024 – 003: DESIGNATION OF OFFICE DEPOSITORY

BE IT RESOLVED:

Pursuant to Town Law, §64(1), the Canandaigua Town Board hereby designates the Canandaigua National Bank and Trust Co. or their successors; Lyons National Bank or their successors; American Deposit or their successors, and NYCLASS or their successors as the depositories in which all Town Officers shall deposit all Town Monies.

RESOLUTION NO. 2024 – 004: DESIGNATION OF OFFICIAL NEWSPAPER & RADIO STATION

BE IT RESOLVED:

1. As allowed by Town Law §64(11), the Canandaigua Daily Messenger is hereby designated as the Official Town of Canandaigua newspaper;
2. Radio Station WISY (102.3 FM) is hereby designated as the official radio station for the Town of Canandaigua;
3. The Town Clerk shall provide a copy of this resolution to the Daily Messenger and Radio Station WISY.

RESOLUTION NO. 2024 - 005: PAYMENT OF BILLS FOLLOWING TOWN BOARD AUDIT

BE IT RESOLVED:

As allowed by Town Law §125, the Canandaigua Town Board hereby authorizes the Town Supervisor, Town Manager, or Town Clerk to make payments of all bills after audit & approval by the majority of the Town Board and issuance of a warrant by the Town Clerk.

RESOLUTION NO. 2024 – 006: PAYMENT OF BILLS PRIOR TO AUDIT

BE IT RESOLVED:

As allowed by Town Law §118(2), the Canandaigua Town Board hereby authorizes the Town Supervisor, Town Manager, or Town Clerk to make payments of all bills without prior audit for public utility services such as gas, electric, water, sewer, fuel oil, telephone services as well as for postage, payment of bills to avoid late charges, medical payments such as HRA and HSA, freight and express charges, surety releases; bills requiring a timely payment for service when delay would otherwise hinder construction of a town approved project; or letter of credit releases after approval by the Town of Canandaigua Planning Board.

RESOLUTION NO. 2024 – 007: ESTABLISHMENT OF PETTY CASH ACCOUNTS

BE IT RESOLVED:

1. Pursuant to Town Law, §64 (1-a), the Canandaigua Town Board does hereby establish petty cash accounts for the following officers in the amounts so indicated:

Town Clerk	\$450.00
Receiver of Taxes	\$300.00
Parks and Recreation Coordinator or Town Supervisor (for Parks)	Any amount up to \$300

2. Fiscal responsibility for petty cash accounts is the responsibility of the town officer.

RESOLUTION NO. 2024 – 008: 2024 BID PURCHASES

BE IT RESOLVED:

1. The Canandaigua Town Board hereby authorizes the purchase of material and equipment from the Ontario County Material Bids, Monroe County Material Bids, Livingston County Material Bids, NYS OGS, Sourcewell, Monroe County BOCES, Onondaga County truck bid, Chautauqua County truck bid and piggyback from any municipality in New York State.

RESOLUTION NO. 2024 – 009: MERCY FLIGHT EMERGENCY SERVICE PROVIDER 2024 PAYMENT AUTHORIZATION

BE IT RESOLVED:

1. Mercy Flight Central provides valuable emergency services to our community, emergency response, and public awareness and education relating to emergency response, to the taxpayers of the Town of Canandaigua; and
2. In exchange for providing these services, the Town of Canandaigua will make a payment of \$4,000 to Mercy Flight Central to be paid from the 2024 Budget Account# AA.100.4540.400.00000; and
3. The Town Supervisor shall take the necessary steps to make this payment; and
4. Prior to payment, the Town Clerk shall provide a copy of this resolution to the Town Supervisor to include with the payment to Mercy Flight Central.

RESOLUTION NO. 2024 – 010: CANANDAIGUA EMERGENCY SQUAD EMERGENCY SERVICE PROVIDER 2024 PAYMENT AUTHORIZATION

BE IT RESOLVED:

1. The Canandaigua Emergency Squad provides valuable emergency services to our community, emergency response, and public awareness and education relating to emergency response, to the taxpayers of the Town of Canandaigua; and
2. The Town Board of the Town of Canandaigua hereby approves a one-year extension to the current agreement with Canandaigua Emergency Squad expiring December 31, 2024 and authorizes the Town Supervisor to execute said agreement; and
3. In exchange for providing these services, the Town of Canandaigua will make a payment of \$5,000 to the Canandaigua Emergency Squad to be paid from the 2024 Budget Account# AA.100.4540.400.00000; and
4. The Town Supervisor shall take the necessary steps to make this payment; and
5. Prior to payment, the Town Clerk shall provide a copy of this resolution to the Town Supervisor to include with the payment to Canandaigua Emergency Squad.

Attachment 4

RESOLUTION NO. 2024 – 011: ONTARIO COUNTY HISTORICAL SOCIETY 2024 PAYMENT AUTHORIZATION

BE IT RESOLVED:

1. The Ontario County Historical Society provides services to our community and public awareness and education relating to the historical significance of our community and the Town of Canandaigua the taxpayers of the Town of Canandaigua; and
2. In exchange for providing these services, the Canandaigua Town Board hereby approves a one-time payment of \$ 10,000.00 to the Ontario County Historical Society to be paid from the 2024 Budget Account No. AA.100.7450.410.00000; and
3. The Town Supervisor shall take the necessary steps to make this payment; and
4. Prior to payment, the Town Clerk shall provide a copy of this resolution to the Town Supervisor to include with the payment to the Ontario County Historical Society.

RESOLUTION NO. 2024 – 012: PINE BANK CEMETERY BOARD 2024 PAYMENT AUTHORIZATION

BE IT RESOLVED:

1. The Town of Canandaigua Town Board has previously adopted Resolution No. 2021-120 accepting a formal agreement with the Pine Bank Cemetery Board for certain services and maintenance at Pine Bank Cemetery; and
2. The Town Board of the Town of Canandaigua hereby approves a one-year extension to the current agreement with Pine Bank Cemetery Board expiring December 31, 2024 and authorizes the Town Supervisor to execute said agreement; and
3. In exchange for providing these services, the Canandaigua Town Board hereby approves a one-time payment of \$ 5,000.00 to the Pine Bank Cemetery Board to be paid from the 2024 Budget Account No. AA100.8810.400; and
4. The Town Supervisor shall take the necessary steps to make this payment; and
5. Prior to payment, the Town Clerk shall provide a copy of this resolution to the Town Supervisor to include with the payment to the Pine Bank Cemetery Board.

Attachment 5

RESOLUTION NO. 2024 – 013: CANANDAIGUA LOCAL DEVELOPMENT CORPORATION, INC. 2024 PAYMENT AUTHORIZATION

BE IT RESOLVED:

1. The Town of Canandaigua and the City of Canandaigua have entered into a memorandum of understanding to provide financial support for three years of the Canandaigua Local Development Corporation (LDC) at a rate of \$25,000.00 each (2022, 2023, and 2024); and
2. The Canandaigua Town Board hereby approves of payment of \$25,000.00 to the Canandaigua Local Development Corporation (LDC) to be paid from the 2024 Budget Account No. AA100.6989.400.00000; and
3. The Town Supervisor shall take the necessary steps to make this payment; and
Prior to payment, the Town Clerk shall provide a copy of this resolution to the Town Supervisor to include with the payment to the Canandaigua LDC.

RESOLUTION NO. 2024 – 014: CANANDAIGUA TOWN BOARD APPOINTMENTS

BE IT RESOLVED:

1. Pursuant to Town Law, §64, the Canandaigua Town Board hereby creates the following Town Board Committees for a one-year term expiring on December 31, 2024:

<u>Committee</u>	<u>Topics covered:</u>	<u>Committee Chair</u>	<u>Citizen Representative(s)</u>	<u>Employee Liaison(s)</u>
Finance	Financial Review, Long and Short-Term Financial Planning, Revenue and Expenditure Reporting			
Planning & Public Works	Planning, Strategic Planning Development, Public Works, Transportation			

Ordinance	Town Code updates, Zoning, Complete Streets			
Economic Development	Economic Development, Uptown BID			

2. Pursuant to Town Law, §64, the Canandaigua Town Board hereby creates the following Citizen Advisory Committees for a one-year term expiring on December 31, 2024:

<u>Committee</u>	<u>Committee Chair</u>	<u>Citizen Representative</u>	<u>Employee Liaison</u>
Special Events Committee	Oksana Fuller	Dennis Brewer, Linda Dworaczyk, Holly Velez, Joyce Marthaller, Marsha and Mark Lempert	Courtney Aten Lindsay Frarey
Citizen's Committee			

3. Pursuant to Town Law, §64, §267, §271, §116, the Canandaigua Town Board hereby appoints/reappoints the following individuals to boards and committees as identified below:

<u>Name</u>	<u>Board/Committee</u>	<u>New Term Expiration</u>
Scott Neal	Planning Board	12/31/2028
Kelly LaVoie	Zoning Board of Appeals	12/31/2028
Phyllis Goodwin	Board of Assessment Review	09/30/2028
Edith Davey	Environmental Conservation Board	12/31/2028
Samantha Stryker	Agricultural Advisory Committee	12/31/2028
Doug Stone	Cemetery Committee	12/31/2028
Andy Griffith	Canandaigua LDC Non-Elected Appointee	12/31/2026

4. Pursuant to Town Law, §267, §271, §116, and §4121 the Canandaigua Town Board hereby makes the following appointments for a one-year term expiring on December 31, 2024:

Planning Board Chairperson – Mr. Charles Oyler
Zoning Board of Appeals Chairperson – Mr. Carl Sahler
Environmental Conservation Board Chairperson – Ms. Kimberly Burkard
Parks and Recreation Committee Chairperson – Mr. Mark MacNeil
Agriculture Advisory Committee Chairperson – Mr. Bob DiCarlo
Town Registrar of Vital Statistics – Mrs. Crystelyn Laske

RESOLUTION NO. 2024 – 015: ASSIGNMENT OF CERTAIN RESPONSIBILITIES TO THE TOWN SUPERVISOR

WHEREAS, the Town Manager serves the residents of the Town of Canandaigua, and the Town Board as the chief administrative officer and shall have such powers and duties in accordance with Town Code §69, NYS Town Law §58, or as otherwise enacted by resolution or policy of the Town Board of the Town of Canandaigua; and

WHEREAS, the Town Board wishes to assign specific responsibilities to the Town Supervisor; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby authorizes and delegates to the Town Supervisor powers and duties of day-to-day administration, including personnel officer, and supervision of all town and special district facilities and employees (excluding elected officials and their appointees) consistent with and in furtherance of any and all state and federal laws applicable thereto and with any and all local laws; and

BE IT FURTHER RESOLVED, the purpose of this provision is to allow the Town to function between Town Board meetings, and by this delegation the Town Board does not abdicate to the Town Supervisor or surrender to him the board's statutory responsibilities; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Town Supervisor to sign any and all documents relating to day-to-day administration of appointed personnel, personnel management, and personnel records; and shall only offer new employment or terminate employment after first receiving direction from the Town Board; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Town Supervisor to engage the Town of Canandaigua's approved: Town Attorney, Town Engineer, fiscal advisors, human resources, insurance representative(s), payroll consultant(s), contract provider(s), State and/or local agencies, and staff in any matters the Town Supervisor may deem required, and then to update the Town Board on those actions when appropriate or requested, as possible or at the next scheduled meeting; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Town Supervisor to review all practices, procedures, contracts, policies, procedures, and to bring recommendations for efficiency improvements through amendments to such provisions to the Town Board; and

BE IT FURTHER RESOLVED, the Town Board appoints the Town Supervisor as the Grant Administrator, and authorizes the Town Supervisor to execute all documents regarding administration of grants on behalf of the Town of Canandaigua for a term ending December 31, 2024; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Town Supervisor to make budgetary transfers or adjustments in any amount less than \$5,000.00 between accounts or funds provided the Town Supervisor informs the Town Board of the adjustment or entry at the next regularly scheduled meeting; and

BE IT FURTHER RESOLVED, the Town Board authorizes and directs the Town Supervisor to execute the collection of administrative fees commonly referred to as 'chargebacks' in keeping with Town Code Chapter 111; and

BE IT FURTHER RESOLVED, the Town Board appoints the Town Supervisor as the MWBE/MWBO Officer for the Town of Canandaigua for a term ending December 31, 2024; and

BE IT FINALLY RESOLVED, the Town Board directs the Town Clerk to provide a copy of this resolution to the Town Supervisor.

RESOLUTION NO. 2024 – 016: DESIGNATION OF PROFESSIONAL SERVICE PROVIDERS

BE IT RESOLVED:

1. Upon the approval of a mutually acceptable contract or service agreement, the Canandaigua Town Board hereby authorizes the Town Manager to execute agreements for the following professional service providers:

BPD, Inc.	Bond Counsel
Law Offices of Christian M. Nadler	Town Attorney / Planning and Zoning
MRB Group, P.C.	Engineering Services
USA Payroll	Payroll Services

RESOLUTION NO. 2024 – 017: COUNTERSIGNING CHECKS

BE IT RESOLVED:

1. Pursuant to Town Law, §§29(3), 30(9); 34(1), the Canandaigua Town Board hereby requires any check issued for an amount equal to or greater than \$5,000 to be signed by two Town officials consisting of the Town Supervisor or the Town Manager or the Town Clerk or the Director of Human Resources; and
2. The Town Clerk shall furnish a copy of this resolution to those employees designated as Town Supervisor, Town Manager, and Town Clerk.

RESOLUTION NO. 2024 – 018: USE OF FACSIMILE SIGNATURE

BE IT RESOLVED:

1. Pursuant to Town Law, §29 (3), the Canandaigua Town Board does hereby authorize the use a facsimile signature of the Town Supervisor, Town Director of Human Resources, Town Manager, or Town Clerk for the payment of bills previously approved by the Town Board; and
2. With the prior written authorization of the Town Supervisor, Town Director of Human Resources, Town Manager, or Town Clerk, a facsimile signature may be utilized on payroll checks; and
3. The Town Clerk shall furnish a copy of this resolution to the Town Supervisor.

RESOLUTION NO. 2024 – 019: RE-ADOPTION AND ACKNOWLEDGEMENT OF CERTAIN TOWN POLICIES AND PROCEDURES

BE IT RESOLVED:

1. Pursuant to General Municipal Law (§104, §806, §64), the Canandaigua Town Board does hereby reapprove, authorize, and acknowledge the following Town of Canandaigua Policies and Procedures.
 - Town of Canandaigua ADA Grievance Policy
 - Town of Canandaigua Budget Development Policy
 - Town of Canandaigua Cell Phone Stipend Policy

- Town of Canandaigua Complete Streets Policy
 - Town of Canandaigua Controlled Substance and Alcohol Testing Policy
 - Town of Canandaigua Credit Card and Credit Account Policy and Procedure
 - Town of Canandaigua Policy and Procedure for Accepting Public Credit Card Payments
 - Town of Canandaigua Energy Benchmarking Policy
 - Town of Canandaigua Expenditures and Funding of the Open Space Reserve Fund Policy
 - Town of Canandaigua Fair Housing Plan
 - Town of Canandaigua Fixed Asset Inventory and Management Policy
 - Town of Canandaigua Fund Balance Policy
 - Town of Canandaigua Information Technology & Data Breach Notification Policy
 - Town of Canandaigua Investment Policy
 - Town of Canandaigua Procurement Policy
 - Town of Canandaigua Public Employer Health Emergency Plan
 - Town of Canandaigua Sexual Harassment Policy
 - Town of Canandaigua Town Board Rules of Procedure
 - Town of Canandaigua Town Board Remote Participation Policy
 - Town of Canandaigua Travel and Conference Policy
 - Town of Canandaigua Vehicle Replacement Policy
 - Town of Canandaigua Water District Policy
 - Town of Canandaigua Wire Transfers and Online Banking Policy
 - Town of Canandaigua Year End Policy and Procedure
2. **Directs the Town Clerk to post and maintain the most recently approved policies in the designated folder on the shared (m) drive and can also be found on the Town's [website](#); and**
 3. **Directs the Town Clerk, Town Supervisor and Town Manager to maintain copies of the "Administrative Manual: Town of Canandaigua Policies" for reference as may be required; and**
 4. **Directs the Town Supervisor to administer the implementation of the above policies.**

RESOLUTION NO. 2024 – 020: TEMPORARY ASSIGNMENT OF JUSTICES IN THE 7TH JUDICIAL DISTRICT

WHEREAS, towns and villages within the Seventh Judicial District for more than twenty years have consented to the temporary assignment of its justices to other town/village courts within the Seventh Judicial District should the need arise; and

WHEREAS, said assignment procedures administered by the Unified Court Systems have been very successful in streamlining this process when necessary; and

WHEREAS, the Unified Court System Seventh Judicial District is again requesting the consent of the town/villages within this District to the temporary assignment of its justices to provide in other town/village courts within the District as the need arises during the year 2024; and

RESOLVED, that the Canandaigua Town Board does hereby consent to take part in the temporary assignment of its justices to other town/village courts within the Seventh Judicial District should the need arise; and further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Unified Court System Seventh Judicial District, Town Justice David Prull and Town Justice Walter Jones.

RESOLUTION NO. 2024 – 021: HANDICAP PARKING PERMIT ISSUING AGENT

BE IT RESOLVED:

1. Pursuant to Vehicle and Traffic Law, §1203-a (1), the Canandaigua Town Board does hereby designate the Town Clerk and Deputy Town Clerks as the Town of Canandaigua handicap parking permit issuing agents; and
2. The Town Clerk shall post this designation and information on how to obtain a handicap parking permit on the Town’s website.

RESOLUTION NO. 2024 – 022: APPOINTMENT OF TOWN COURT CLERKS

RESOLVED, pursuant to Town Law, §20(1)(a)(b), with the consent of Town Justice Prull and Town Justice Jones, the Town Board of the Town of Canandaigua does hereby designate Mrs. Kristen Bartolotta and Mrs. Katie Reed as the Court Clerks.

RESOLUTION NO. 2024 – 023: ADOPTION OF THE 2024 FEE SCHEDULE

WHEREAS, the Town Manager, Town Clerk, Town Highway and Water Superintendent have provided an updated fee schedule for the Town of Canandaigua for the year 2024; and

RESOLVED, the Town Board has determined that the fees identified in the 2024 Fee Schedule are reasonable and hereby adopts it effective January 8, 2024.

Attachment 6

RESOLUTION NO. 2024 – 24 : ESTABLISHING 2024 EMPLOYEE WAGE RATES AND PAYMENT

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as “Town Board”) needs to set hourly wages for employees of the Town of Canandaigua for 2024; and

WHEREAS, the Town Board has adopted the employee wages and frequency of payment as noted below per the Town of Canandaigua adopted 2024 budget:

Name	Position	2024 Rate	Wage Calculated	Frequency
KS	Finance Clerk II, PT	\$33.58	Hourly	Bi-weekly
HC	First Deputy Town Clerk	\$25.75	Hourly	Bi-weekly

SM	Deputy Town Clerk	\$22.66	Hourly	Bi-weekly
	Deputy Town Clerk	\$22.00	Hourly	Bi-weekly
CS	Clerk	\$19.91	Hourly	Bi-weekly
KR	Clerk to the Town Justice, PT	\$23.00	Hourly	Bi-weekly
AC	Parks Maintenance Assistant	\$27.00	Hourly	Bi-weekly
AC	Laborer, F/T	\$22.00	Hourly	Bi-weekly
JK	Laborer, P/T	\$19.00	Hourly	Bi-weekly
JW	Laborer, P/T	\$21.81	Hourly	Bi-weekly
	Laborer, Seasonal	\$18.00	Hourly	Bi-weekly
	Park Rangers	\$15.50	Hourly	Bi-weekly
	Recreation Attendant	\$15.00	Hourly	Bi-weekly
	Senior Lifeguard	\$20.00	Hourly	Bi-weekly
	Lifeguard	\$18.00	Hourly	Bi-weekly
TM	Zoning Inspector, P/T	\$35.00	Hourly	Bi-weekly
HR	Assessor's Aide	\$22.66	Hourly	Bi-weekly
KH	PB Stenographer	\$18.00	Hourly	Bi-weekly
KB	ECB Stenographer	\$20.00	Hourly	Bi-weekly
RB	Code Enforcement Officer, P/T	\$24.53	Hourly	Bi-weekly
TB	Office Specialist I	\$18.00- \$19.00	Hourly	Bi-weekly
CA	Senior Clerk	\$22.66	Hourly	Bi-weekly
LR	Highway Clerk, FT	\$19.57	Hourly	Bi-weekly
JB	Transfer Station Operator	\$16.50	Hourly	Bi-weekly
SH	Transfer Station Operator	\$16.50	Hourly	Bi-weekly
TG	Transfer Station Operator	\$16.50	Hourly	Bi-weekly
CS	Transfer Station Operator	\$16.50	Hourly	Bi-weekly
KB	Seasonal MEO	\$28.90	Hourly	Bi-weekly
TW	Seasonal MEO	\$28.90	Hourly	Bi-weekly
JB	Heavy Equipment Mechanic	\$34.39	Hourly	Bi-weekly
CL	Working Supervisor	\$34.39	Hourly	Bi-weekly
TS	Working Supervisor	\$34.39	Hourly	Bi-weekly
LT	Working Supervisor	\$34.39	Hourly	Bi-weekly
AM	MEO IV	\$32.86	Hourly	Bi-weekly
BA	Laborer, FT Highway	\$27.00	Hourly	Bi-weekly
WB	MEO	\$31.77	Hourly	Bi-weekly
JC	MEO	\$31.77	Hourly	Bi-weekly
ED	MEO	\$27.00	Hourly	Bi-weekly
RK	MEO	\$31.66	Hourly	Bi-weekly
CK	MEO	\$27.00	Hourly	Bi-weekly
DL	MEO	\$31.66	Hourly	Bi-weekly
KP	MEO	\$31.66	Hourly	Bi-weekly
SR	MEO	\$31.66	Hourly	Bi-weekly
CR	MEO	\$27.00	Hourly	Bi-weekly
DR	MEO	\$27.00	Hourly	Bi-weekly

TW	MEO	\$31.66	Hourly	Bi-weekly
SW	MEO	\$30.18	Hourly	Bi-weekly
MB	Water Maintenance Assistant	\$32.86	Hourly	Bi-weekly
JN	Water Maintenance Assistant	\$29.57	Hourly	Bi-weekly
RW	Water Maintenance Assistant	\$31.22	Hourly	Bi-weekly

;and

NOW THEREFORE BE IT RESOLVED, the Town Board does hereby set the above chart as the pay rate for the listed positions for 2024; and

BE IT FURTHER RESOLVED, the Town Board directs the Town Clerk to provide a copy of this resolution to the Town Supervisor and the Human Resources & Payroll Coordinator; and

BE IT FINALLY RESOLVED, the Town Board authorizes the Town Supervisor to execute the necessary documents to implement these changes.

RESOLUTION NO. 2024 –25 : AUTHORIZING FINANCE CLERK II TO CLOSE THE INVASIVE SPECIES REMEDIATION GRANT CAPITAL PROJECT (H28)

WHEREAS, the Town Board of the Town of Canandaigua has received notice from the Finance Clerk II that the final disbursement was received from New York State Department of Conservation for the HWA Invasive Species Remediation Grant: and

WHEREAS, activities accomplished with this grant program included eradication treatments by CGL Arbor service to affected areas in Onanda Park and Barnes Gully; and

WHEREAS, the grant required a \$2,000 local match for contractual expenses of which Resolution 2019-253 approved a \$1,124.23 interfund transfer from budget year 2020; and

WHEREAS, there is a \$875.73 transfer necessary to close out the project; and

THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby directs the Finance Clerk II to complete a budget transfer of \$875.73 from AA100.7110.200 to HH100.7110.402.00028; and

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby authorizes the Finance Clerk II to make the following adjustments to Capital Project No. 28 for proper accounting of revenues and expenditures separate from the Town/s budget:

REVENUE:

HH100.5031.00034

Interfund Transfer

\$875.73

EXPENDITURES:

HH100.7110.402.00028 Parks. Landscaping.H28 \$875.73

BE IT FURTHER RESOLVED, the Town Board hereby authorizes the Finance Clerk II to enter a budget adjustment to the 2023 Adopted Town Budget as follows:

DECREASE:

AA100.7110.200.00000 Parks. Normal. Cap. Maintenance \$875.73

INCREASE:

AA100.9950.900.00000 Interfund Transfer. Capital Project \$875.73

BE IT FINALLY RESOLVED, the Town Board directs the Town Clerk to provide a copy of this resolution to the Finance Clerk.

Attachment 7

RESOLUTION NO. 2024 – 26 : AUTHORIZING FINANCE CLERK II TO CLOSE THE LGMRIF CAPITAL PROJECT (H32)

WHEREAS, the Town Board of the Town of Canandaigua has received notice from the Finance Clerk II that the final Expenditure Summary and Overpayment reimbursement was made to the Treasury of the State of New York; and

WHEREAS, repayment of unused grant funds marks the completion of LGMRIF Project (H32); and

WHEREAS, activities accomplished with this grant program include development of the Records Management Policy, scanning of documents to Laserfiche, personnel expenses related to the project, and purchase of tablets; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby directs the Finance Clerk II to close H32, the LGMRIF Project and to transfer the remaining cash balance of \$294.76 to the General Fund (AA100); and

BE IT FINALLY RESOLVED, the Town Board directs the Town Clerk to provide a copy of this resolution to the Finance Clerk.

Attachment 8

RESOLUTION 2024- 27 : AUTHORIZING TOWN SUPERVISOR TO APPROVE SURETIES

WHEREAS, Town Code § 174-32(F)(1) requires that “[s]ureties paid by cash or check that do not exceed \$20,000 must be approved by the Town Manager prior to the issuance of building permits. Within 45 days following the date of such approval by the Town Manager, the applicant shall arrange to have the surety accepted by the Town Board. If the Town Board does not accept said surety within 45 days, any permits granted shall be revoked;” and

WHEREAS, there is no presently serving Town Manager who can approve the sureties described in Town Code § 174-32(F)(1); and

WHEREAS, the Town Board wishes to appoint an individual to approve the sureties described in Town Code § 174-32(F)(1) until such time as there is a serving Town Manager; and

NOW THEREFORE BE IT RESOLVED that Town Supervisor Jared Simpson is hereby appointed to approve sureties that do not exceed \$20,000 pursuant to Town Code §174-32; and

BE IT FURTHER RESOLVED that Town Supervisor Jared Simpson shall have this authority only until such time as a Town Manager is appointed who can fulfill this duty.

RESOLUTION NO. 2024 – 28 CONFIDENTIAL SECRETARY BUDGET ADJUSTMENT

WHEREAS, the Town of Canandaigua Town Board (herein after referred to as ‘Town Board’) understands that; and

WHEREAS, the Town Supervisor has determined a need to fill the position of a Part Time Confidential Secretary in order to continue to provide necessary services to the Town; and

WHEREAS, the position was requested, but not funded, in the Adopted 2024 Budget; and

WHEREAS the Town Supervisor is recommending the following budget transfer in order to fund the position of Part Time Confidential Secretary:

2024:			
Decrease:	AA100.1230.100	Town Manager Personal Services	\$28,000
Increase:	AA100.1220.142	Supervisor Confidential Secretary	\$28,000 ; and

NOW THEREFORE BE IT RESOLVED, that the Canandaigua Town Board hereby approves the budget transfers to fund the position of a Part Time Confidential Secretary ; and

BE IT FURTHER RESOLVED, the Finance Clerk II is directed to make the following budget adjustments:

2024:			
Decrease:	AA100.1230.100	Town Manager Personal Services	\$28,000
Increase:	AA100.1220.142	Supervisor Confidential Secretary	\$28,000; and

BE IT FINALLY RESOLVED, the Town Supervisor is authorized to execute all documents necessary; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Town Supervisor and Finance Clerk II.

RESOLUTION NO. 2024 – 29 : SETTING A PUBLIC HEARING TO ADOPT A LOCAL LAW TO AMEND TOWN CODE CHAPTER 220-9.1 SHORT TERM RENTALS; AND SEQR INTENT TO DECLARE LEAD AGENCY

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as “Town Board”) is considering the adoption of a local law to amend Town Code Chapter 220-9.1 Short Term Rentals to further define and clarify policies and procedures; and

WHEREAS, the Town Board seeks to hold a Public Hearing to obtain public input on this proposed action; and

WHEREAS, the Town Board wishes to refer the proposed draft to the Ontario County Planning Board, the Town of Canandaigua Planning Board, and the Environmental Conservation Board; and

WHEREAS, the Town Board intends to determine said law change is classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

WHEREAS, the Town Board intends to declare itself as the Lead Agency on the proposed action; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Canandaigua hereby establishes a public hearing to obtain public input as it considers a proposed local law to amend Town Code Chapter 220-9.1 to be held on February 12, 2024 at 6:00 pm at the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY 14424 and also via Zoom videoconferencing; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide notice of said public hearing and to provide a copy of this resolution to the Town Supervisor’s Office.

Attachment 9

RESOLUTION NO. 2024 – 30: SETTING A PUBLIC HEARING TO RE-ADOPT A LOCAL LAW TO AMEND TOWN CODE CHAPTER 220-31 INCENTIVE ZONING

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as “Town Board”) is considering the re-adoption of a local law to amend Town Code Chapter 220-31 Incentive Zoning due to a procedural error in which the referral to the Ontario County Planning Board was not completed in the initial adoption of said law in November 2022; and

WHEREAS, the Town Board seeks to hold a Public Hearing to obtain public input on this proposed action; and

WHEREAS, the Town Board wishes to refer the proposed draft to the Ontario County Planning Board;
and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Canandaigua hereby establishes a public hearing to obtain public input as it considers a proposed local law to amend Town Code Chapter 220-31 to be held on February 12, 2024 at 6:00 pm at the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY 14424 and also via Zoom videoconferencing;
and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide notice of said public hearing and to provide a copy of this resolution to the Town Planner and the Town Supervisor's Office.

Attachment 10

RESOLUTION NO. 2024 – 31: SETTING A PUBLIC HEARING TO RE-ADOPT A LOCAL LAW TO AMEND TOWN CODE CHAPTER 220-33.2 AGRICULTURAL PROTECTION OVERLAY DISTRICT

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as "Town Board") is considering the re-adoption of a local law to amend Town Code Chapter 220-33.2 Agricultural Protection Overlay District due to a procedural error in which the referral to the Ontario County Planning Board was not completed in the initial adoption of said law in November 2022; and

WHEREAS, the Town Board seeks to hold a Public Hearing to obtain public input on this proposed action; and

WHEREAS, the Town Board wishes to refer the proposed draft to the Ontario County Planning Board;
and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Canandaigua hereby establishes a public hearing to obtain public input as it considers a proposed local law to amend Town Code Chapter 220-33.2 to be held on February 12, 2024 at 6:00 pm at the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY 14424 and also via Zoom videoconferencing;
and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide notice of said public hearing and to provide a copy of this resolution to the Town Planner and the Town Supervisor's Office.

Attachment 11

RESOLUTION NO. 2024 – 32: SETTING A PUBLIC HEARING TO RE-ADOPT A LOCAL LAW TO AMEND TOWN CODE CHAPTER 220-33.1 SCENIC VIEWSHED OVERLAY

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as “Town Board”) is considering the re-adoption of a local law to amend Town Code Chapter 220-33.1 Scenic Viewshed Overlay due to a procedural error in which the referral to the Ontario County Planning Board was not completed in the initial adoption of said law in November 2022; and

WHEREAS, the Town Board seeks to hold a Public Hearing to obtain public input on this proposed action; and

WHEREAS, the Town Board wishes to refer the proposed draft to the Ontario County Planning Board; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Canandaigua hereby establishes a public hearing to obtain public input as it considers a proposed local law to amend Town Code Chapter 220-33.1 to be held on February 12, 2024 at 6:00 pm at the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY 14424 and also via Zoom videoconferencing; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide notice of said public hearing and to provide a copy of this resolution to the Town Planner and the Town Supervisor’s Office.

Attachment 12

RESOLUTION NO. 2024 –33: APPOINTMENT OF MOTOR EQUIPMENT OPERATOR

WHEREAS, the Town of Canandaigua Town Board (herein after referred to as ‘Town Board’) understands vacancies exists in the Highway Department for Motor Equipment Operators; and

WHEREAS, the Highway Superintendent has determined a need to fill the position in order to continue to provide necessary services to the Town; and

WHEREAS, the position was posted on the Town of Canandaigua’s website, the Ontario County Civil Service website, and on the Town’s Facebook page; and

WHEREAS, the HR and Payroll Coordinator received a total of fourteen applications and the Highway Superintendent has conducted interviews with qualified candidates; and

WHEREAS, the Highway Superintendent is recommending the appointment of Emma DePew who has two years of municipal experience to be paid at a rate of \$27.00/hour to fill the Motor Equipment Operator vacancy; and

NOW THEREFORE BE IT RESOLVED, the Canandaigua Town Board hereby approves the appointment of Emma DePew to Motor Equipment Operator to be paid \$27.00/hour in accordance with the 2024 Union Agreement with a start date of January 2, 2023; and

BE IT FURTHER RESOLVED, the HR and Payroll Coordinator is authorized to execute all documents necessary; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Town Supervisor and the Human and Resource and Payroll Coordinator.

RESOLUTION NO. 2024 – 34: APPOINTMENT OF MOTOR EQUIPMENT OPERATOR

WHEREAS, the Town of Canandaigua Town Board (herein after referred to as 'Town Board') understands vacancies exists in the Highway Department for Motor Equipment Operators; and

WHEREAS, the Highway Superintendent has determined a need to fill the position in order to continue to provide necessary services to the Town; and

WHEREAS, the position was posted on the Town of Canandaigua's website, the Ontario County Civil Service website, and on the Town's Facebook page; and

WHEREAS, the HR and Payroll Coordinator received a total of fourteen applications and the Highway Superintendent has conducted interviews with qualified candidates; and

WHEREAS, the Highway Superintendent is recommending the appointment of Daxon Rohring to be paid at a rate of \$27.00/hour to fill the Motor Equipment Operator vacancy; and

NOW THEREFORE BE IT RESOLVED, the Canandaigua Town Board hereby approves the appointment of Daxon Rohring to Motor Equipment Operator to be paid \$27.00/hour in accordance with the 2024 Union Agreement with a start date of January 15, 2023; and

BE IT FURTHER RESOLVED, the HR and Payroll Coordinator is authorized to execute all documents necessary; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Town Supervisor and the Human and Resource and Payroll Coordinator.

RESOLUTION NO. 2024 - 35: APPOINTMENT OF OFFICE SPECIALIST I

WHEREAS, the Town of Canandaigua Town Board (herein after referred to as 'Town Board') understands a vacancy exists in the Development Office for Office Specialist I and

WHEREAS, the Human Resource and Payroll Coordinator has determined a need to fill the position in order to continue to provide necessary services to the Town; and

WHEREAS, the Human Resource and Payroll Coordinator received the Certification of Eligibles List from Ontario County Human Resource Department; and

WHEREAS, the Human Resource and Payroll Coordinator, the Town Planner, and the Finance Clerk II conducted 3 interviews; and

WHEREAS, the HR and Payroll Coordinator is recommending the hiring of Tammy Brace at a rate of \$18.00/hour with an increase to \$19.00/hour after the successful completion of six months of service to be paid from budget line AA100.8010.147; and

NOW THEREFORE BE IT RESOLVED, that the Canandaigua Town Board hereby approves the hiring of Tammy Brace at an hourly rate of \$18.00/hour with a start date of January 3, 2024; and

BE IT FURTHER RESOLVED, the Town Supervisor is directed to make the following budget adjustments:

2024:

Decrease:	AA100.8664.124	Code Enforcement	\$38,000
Increase:	AA100.8010.147	Zoning. Office Specialist I	\$38,000

BE IT FINALLY RESOLVED, the HR and Payroll Coordinator is authorized to execute all documents necessary; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Finance Clerk II, Town Supervisor, and the Human and Resource and Payroll Coordinator.

RESOLUTION NO. 2024 - 36: 180 DAY EXTENSION FOR PRELIMINARY SITE PLAN APPROVAL ASSOCIATED WITH PENDING MUO REZONING APPLICATION FOR 2625 COUNTY ROAD 22 (TM# 71.00-1-21.141)

WHEREAS, the Town of Canandaigua Town Board has received a request to amend the official zoning map for 2625 County Road 22 (TM# 71.00-1-21.141) from AR-2 to Mixed-Use Overlay (MUO) District per Town Code § 220-33; and

WHEREAS, the applicant, is proposing to construct an indoor sports facility complex; and

WHEREAS, the Town Board has previously directed the applicant to submit application for Preliminary Site Plan Approval to the Town Planning Board; and

WHEREAS, the applicant has already submitted and begun the Preliminary Site Plan Approval process with the Planning Board however the process has taken longer than originally expected due to the required coordinated SEQR review process required for a Type I SEQR designation; and

WHEREAS, the Town Planner is recommending a 180-day extension be granted by Town Board as allowed by Town Code § 220-33 to allow the applicant to continue with the process; and

NOW THEREFORE BE IT RESOLVED the Town Board of the Town of Canandaigua hereby does provide a 180-day extension for the request to amend the official zoning map for 2625 County Road 22 (TM# 71.00-1-21.141) from AR-2 to Mixed-Use Overlay (MUO) District with a new expiration of June 6, 2024 for the applicant to receive Preliminary Site Plan Approval from the Planning Board; and

BE IT FURTHER RESOLVED, the Town Clerk is directed to provide copies of this resolution to the Applicant, Planning Board Chairman, and Town Planner.

RESOLUTION NO.2024-37 : ACCEPTING PROPOSAL FOR PROFESSIONAL RECRUITMENT SERVICES FOR THE TOWN MANAGER VACANCY

WHEREAS, the Town of Canandaigua Town Board (herein after referred to as “Town Board”) has directed the Human Resource and Payroll Coordinator to put out a request for quotes for professional recruitment services for the Town Manager vacancy; and

WHEREAS, the Human Resource and Payroll Coordinator reached out to five separate entities requesting quotes for professional recruitment services and received three responses; and

WHEREAS, per the Town’s procurement policy the lowest, responsible bidder is _____ which quotes _____ for the professional recruitment services for the Town Manager vacancy; and

NOW THEREFORE, BE IT RESOLVED, the Town Board hereby accepts the proposal from _____ for the professional recruitment services for the Town Manager vacancy for the quoted amount of _____ to be paid from budget line AA100.1230.400 Town Manager Contractual and authorizes the Town Supervisor to execute any and all documents associated with the proposal; and

BE IT FURTHER RESOLVED, the Finance Clerk is directed to make the following budget adjustments:

Decrease:	AA100.1230.100	Town Manager Personal Services	_____
Increase:	AA100.1230.400	Town Manager Contractual	_____

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide a copy of this resolution to the Town Supervisor, the Human Resource and Payroll Coordinator, and the Finance Clerk.

Attachment 13

Approval of the following Town Board Meeting Minutes:

November 20, 2023

December 8, 2023

- Other Business
- Privilege of the Floor
- Executive Session, as requested
- Adjournment

ATTACHMENT 1

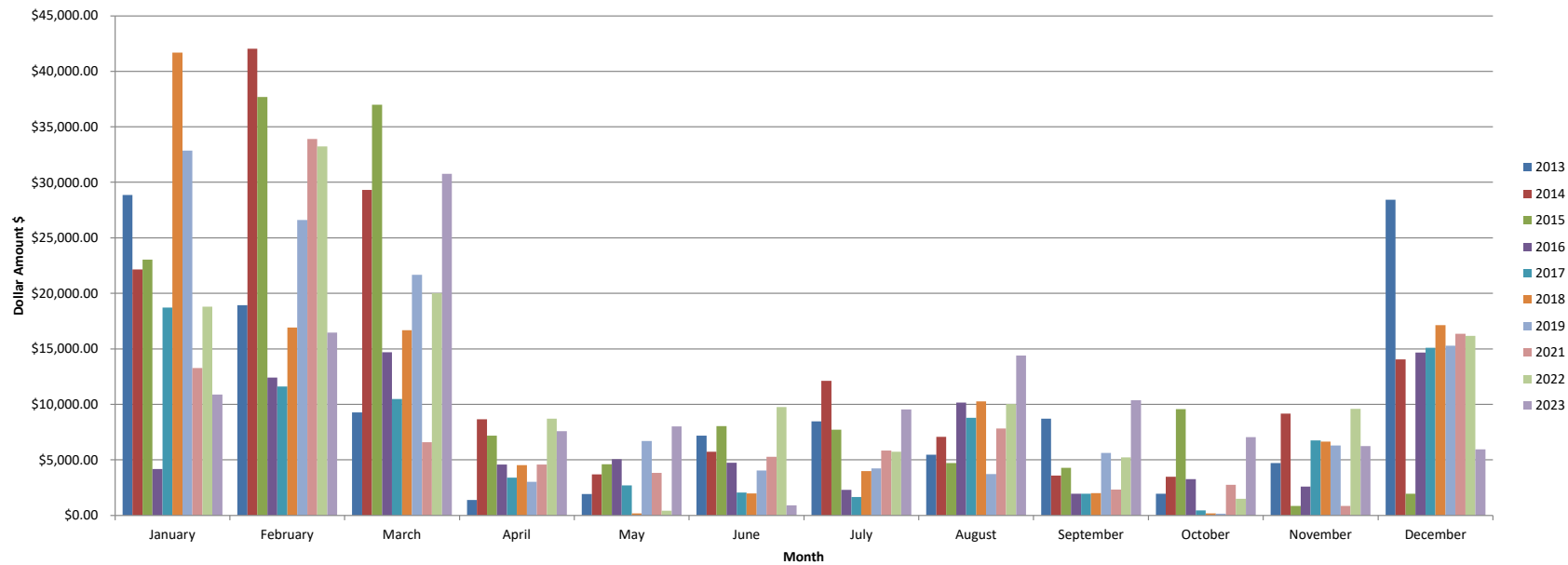
Communications

ATTACHMENT 2

Reports of Officials & Department Heads

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
January	\$28,862.28	\$22,155.51	\$23,046.67	\$4,183.58	\$18,707.18	\$41,679.61	\$32,857.11	\$27,324.64	\$13,273.75	\$ 18,807.71	\$ 10,881.92
February	\$18,935.61	\$42,035.88	\$37,674.78	\$12,418.13	\$11,601.64	\$16,910.89	\$26,602.24	\$20,572.14	\$33,905.16	\$ 33,238.23	\$ 16,472.84
March	\$9,287.84	\$29,302.83	\$36,977.77	\$14,682.85	\$10,491.75	\$16,677.83	\$21,675.11	\$10,122.18	\$6,592.62	\$ 20,001.47	\$ 30,763.33
April	\$1,401.60	\$8,649.62	\$7,173.22	\$4,584.14	\$3,402.95	\$4,524.16	\$3,033.55	\$6,204.17	\$4,592.96	\$ 8,712.98	\$ 7,577.29
May	\$1,914.73	\$3,707.54	\$4,618.01	\$5,061.36	\$2,715.51	\$178.52	\$6,696.39	\$236.97	\$3,819.66	\$ 421.25	\$ 8,025.32
June	\$7,188.71	\$5,730.26	\$8,040.67	\$4,741.15	\$2,060.55	\$1,984.64	\$4,053.52	\$1,112.97	\$5,287.97	\$ 9,752.83	\$ 899.80
July	\$8,475.63	\$12,116.04	\$7,718.19	\$2,298.19	\$1,664.52	\$4,001.48	\$4,222.09	\$5,123.36	\$5,855.13	\$ 5,725.84	\$ 9,545.89
August	\$5,479.85	\$7,085.96	\$4,720.03	\$10,152.84	\$8,794.31	\$10,281.09	\$3,710.81	\$375.47	\$7,826.98	\$ 10,027.05	\$ 14,403.97
September	\$8,704.27	\$3,575.99	\$4,299.72	\$1,962.98	\$1,940.93	\$2,009.68	\$5,625.97	\$947.17	\$2,322.81	\$ 5,229.27	\$ 10,362.28
October	\$1,948.35	\$3,476.09	\$9,558.24	\$3,273.32	\$459.55	\$173.01	\$145.03	\$5,423.05	\$2,766.33	\$ 1,504.76	\$ 7,044.42
November	\$4,708.75	\$9,158.92	\$844.76	\$2,596.51	\$6,743.01	\$6,656.18	\$6,289.66	\$3,912.18	\$854.43	\$ 9,598.69	\$ 6,238.87
December	\$28,423.96	\$14,038.96	\$1,957.16	\$14,667.81	\$15,086.85	\$17,126.83	\$15,295.31	\$13,596.37	\$16,354.79	\$ 16,168.70	\$ 5,937.52
Totals	\$125,331.58	\$161,033.60	\$146,629.22	\$80,622.86	\$83,668.75	\$122,203.92	\$130,206.79	\$94,950.67	\$103,452.59	\$ 139,188.78	\$ 128,153.45

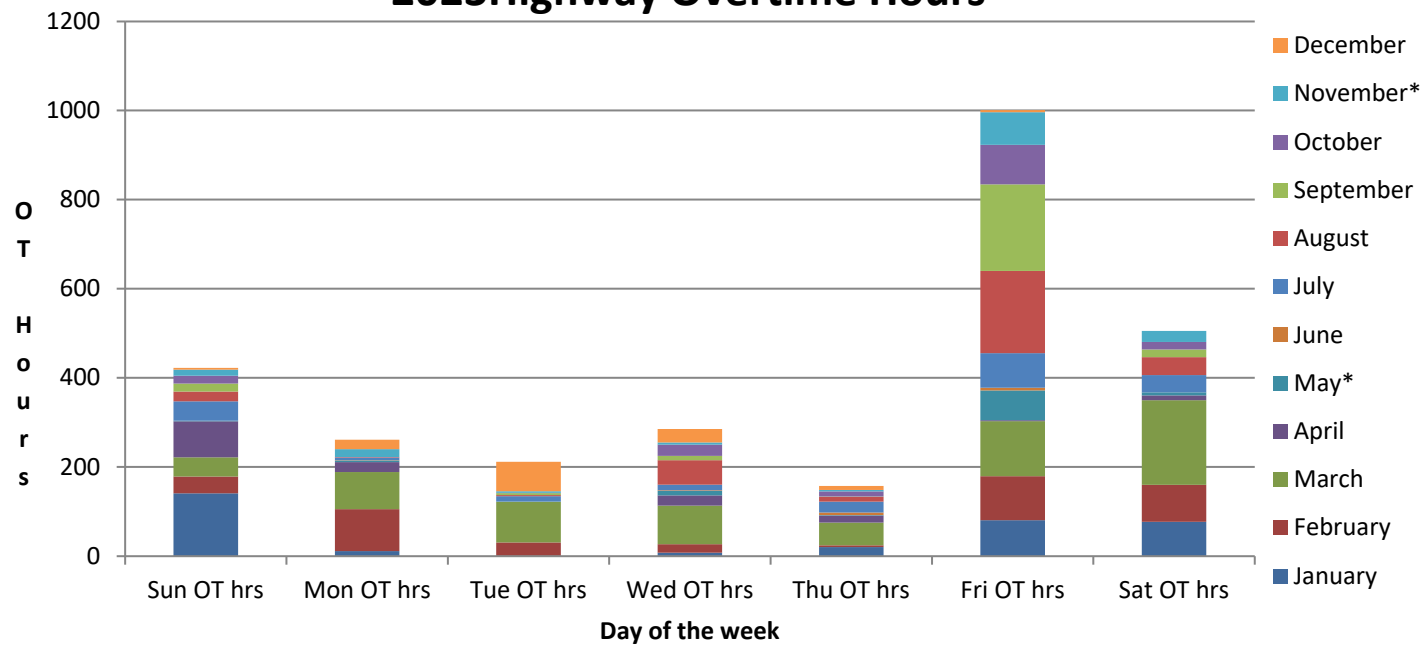
**Overtime Amounts for All Employees
2013-2023**



	Sun OT hrs	Mon OT hrs	Tue OT hrs	Wed OT hrs	Thu OT hrs	Fri OT hrs	Sat OT hrs
January	140.75	11.25	0.5	7.5	20	80.5	77
February	37.75	94	30	19	4	98.75	83
March	43.25	83.25	91	86.75	51	123.5	189.75
April	80.75	22.25	0.25	22.75	16	2.25	10.75
May*	1.25	3.5	1.25	10.25	1	66.75	6.75
June	0	1	0	1.25	5.75	6	0
July	43.5	5.75	11.25	12.75	24.5	77.5	38.75
August	22	1	2.5	55	10.75	184.5	40.25
September	17.75	0	4.25	9.75	0.5	194.5	17.5
October	17.75	0.25	0.75	25	11.75	88.5	16.75
November*	13.75	17.75	3.75	5	3	73.25	24.75
December	4	21.25	66	30	9	4.75	0
	422.50	261.25	211.50	285.00	157.25	1,000.75	505.25

*3 pay period month

2023 Highway Overtime Hours



DRAFT DOCUMENT

For Town Board Consideration.

After several meetings with residents and town board representatives, the following draft document is presented to the Town Board for consideration.

1. Establish a new committee name and charge.
 - **Community Advisory Panel (CAP)**

Mission Statement

A panel of engaged citizens that promotes the Town of Canandaigua through effective communication, citizen education, and advises the town board on future growth and development.

2. Establish committee membership and terms of service.
 - # of Voting Members? (5-7)
 - Additionally 1 Town Board member and 1 staff liaison.
 - Length of Term? 2 years and 1 year initially divided as equally as possible amongst members, then all will be 2 years. This allows a staggered end of term.
 - 1 Youth member
3. Chair: Will be nominated by the committee, approved by the town board, and will serve a 1 year term.

Committee Charge

1. Promote the Town of Canandaigua and tell our story through improved frequent communication by
 - providing dynamic media content that supports local events and promotes community engagement.
2. Promote the uptown area as an economic development hub of the Town of Canandaigua by,

- advising the Uptown BID regarding street light installation and possible amenities. (banners, wifi, flowers)
- advising the BID on the beautification of the 332 corridor, with plantings and greenery, and working with state agencies for needed approval.
- advising the Town Board and BID regarding the implementation of the Uptown Study/Plan (2019/2021) and related documents.
- Advising the Uptown Bid regarding signage in the Uptown area

3. Continue to develop ways to improve citizen education by,

- creating a new resident welcome packet.
 - Post card from town mailed with QR code that links to Town of Canandaigua welcome section of website
- Guest Speakers
 - Public education, current events, development topics
- Community Events
 - NOT to conflict with those already in the works with the Special Events Committee
 - Events surrounding grand openings, ribbon cuttings, milestones for the town or residents etc...

Canandaigua Town Board Meetings 2023

January	9th	Organizational
January	28th	Strategic Planning
January	30th	Bill Pay, Year End
February	27th	Regular Town Board Meeting
February	27th	Special Town Board Meeting: Strategic Planning
March	20th	Regular Town Board Meeting
March	20th	Special Town Board Meeting: Strategic Planning
March	28th	Special Town Board Meeting: FOIL Request
April	17th	Regular Town Board Meeting
April	24th	Uptown BID
April	24th	Special Town Board Meeting: Onanda Uplands and Traffic Study Report
April	27th	Special Town Board Meeting: CCA Presentation and Decision
May	15th	Special Town Board Meeting: Executive Session for Pending Litigation
May	15th	Regular Town Board Meeting
June	12th	Regular Town Board Meeting
July	10th	Special Town Board Meeting: Flooding
July	17th	Regular Town Board Meeting
July	28th	Special Town Board Meeting: Executive Session For the Employment History of a Particular Individual
August	21st	Regular Town Board Meeting
September	18th	Budget Workshop
September	18th	Bristol Water Meeting
September	18th	Regular Town Board Meeting
September	20th	Joint Meeting With City

September	21st	Budget Workshop
October	11th	Budget Hearing
October	16th	Regular Town Board Meeting
October	23rd	Special Town Board Meeting
November	20th	Special Town Board Meeting
November	20th	Regular Town Board Meeting
December	18	Regular Town Board Meeting

AGREEMENT

DOG CONTROL SERVICES

PARTIES:

The County of Ontario, a municipal corporation of the State of New York, having its principal offices at 20 Ontario Street, Canandaigua, New York 14424 (hereinafter referred to as the "County").

TOWN OF CANANDAIGUA, a municipal corporation of the State of New York and having its principal office at 5440 ROUTE 5 & 20 WEST CANANDAIGUA, NY 14424 (hereinafter referred to as the "Municipality").

The County and Municipality are at times herein referred to individually as a "party" and collectively as the "parties."

RECITALS:

This agreement (this "Agreement") entered into between the parties contemplates and is subject to the subcontracting of dog control services provided by the County to the Ontario County Humane Society, Inc., a duly incorporated society for the prevention of cruelty to animals. Officers, agents and employees of said society shall furnish those services described hereunder, and shall operate the Happy Tails Animal Shelter, which is intended to serve as the shelter under this Agreement. Similarly, the parties recognize that this Agreement constitutes part of an innovative approach to dog control by municipalities of the County, and may therefore necessitate future discussion and modification by mutual consent.

SERVICES:

The parties agree that in consideration of payment made by the Municipality, the County will provide the following services commencing on January 1, 2024, and continuing through the term of this Agreement:

ADMINISTRATIVE SERVICES: The County or contractor of the County will maintain complete records of seizures, subsequent dispositions and all other contract or business related files as required by law.

DOG CONTROL SERVICES: A duly appointed employee(s) or contractor of the County will perform the duties of dog control officer for the Municipality, as those duties are defined in Article 7 of the Agriculture and Markets Law, including routine enforcement of licensing requirements, which enforcement shall commence after a minimum of two (2) official notifications by the Municipality to the dog owner or harborer, and upon similar notice by the Municipality to the County or its designee. In the case where a village employs its own dog control officer the village dog control officer is to be initially contacted to enforce village dog owner licensing requirements, in order to maximize response capability and minimize expense. Additionally, the County or contractor of the County shall provide enforcement of the provisions of the ordinance attached hereto as "Schedule 'A,'" if such provisions are included in an ordinance adopted by the

Municipality. However, the County or contractor of the County shall not be required to pursue appearance tickets or dangerous dog complaints through trial.

SHELTER SERVICES: The County or contractor of the County will provide an enclosed shelter for seized dogs, will properly care for all dogs in such shelter, and will humanely euthanize or make available for adoption seized dogs not redeemed. The shelter shall be open to the public at reasonable hours determined by the County or its contractor.

AUTHORIZATION:

In performance of the services specified in this Agreement, the officers, agents and employees of the County shall be deemed agents of the Municipality for the purposes of 1) enforcement, including the issuance of appearance tickets, of the Agriculture and Markets Law and of the Municipality's Dog Control Ordinance, if adopted by Municipality; 2) the seizure of animals within the Municipality pursuant to said statutes; 3) the care and disposition of animals seized pursuant to said statutes; and 4) the receipt and disposition of impoundment and boarding fees collected at the shelter.

LICENSE COUNT:

The basis for calculating dog control contracts will be established by the active and delinquent dog license counts for the year prior to the term of this Agreement. The Municipality shall submit to the County active and delinquent dog license figures for the prior year by January 31 of the year of this Agreement. The active and delinquent dog counts will be added together and used to distribute the cost of dog control services across each municipality for the year after this Agreement's dog control contracts.

In the event that the Municipality fails to timely file the herein described license count, the Municipality shall be liable for and shall pay to the County, the sum of ten (\$10.00) dollars per day for each day from the filing deadline set forth herein to the date of actual filing. The County Administrator, in his/her sole discretion, may waive said payment for good cause shown as provided by the Municipality.

PAYMENT:

For the above services performed during the period of this Agreement, the County will bill the Municipality, and the Municipality will pay the County, the sum of \$26,456.00. The County will bill the Municipality not later than January 31st and payment by the Municipality to the County will be due on or before the last day of the next month after such bill is submitted.

Said rate may be modified by the County depending upon changes in State or Local service requirements, the number of active and delinquent dogs licensed, and in the number of municipalities participating, provided that the rate charged per dog remains equal for all participating municipalities during the year of this Agreement.

TERM OF AGREEMENT:

The term of this Agreement shall commence on January 1, 2024, and shall terminate on December 31, 2024.

NOTICES:

All notices of any nature referred to in this Agreement shall be in writing and sent by registered or certified mail postage pre-paid, to the respective addresses set forth below or to such other addresses as the respective parties hereto may designate in writing:

To the County:

Ontario County Board of Supervisors

Ontario County Municipal Building

20 Ontario Street

Canandaigua, New York 14424

with a copy to:

County Administrator

Ontario County Municipal Building

20 Ontario Street

Canandaigua, New York 14424

To the Municipality:

Municipality Clerk

5440 ROUTE 5 & 20 WEST CANANDAIGUA, NY 14424

ENTIRE AGREEMENT:

This Agreement and its attachments constitute the entire Agreement between the parties with respect to the subject matter hereto and shall supersede all previous negotiations, commitments and writings. It shall not be released, discharged, changed or modified except by an instrument in writing signed by a duly authorized representative of each of the parties.

EXECUTION:

This Agreement shall not be enforceable until signed by all parties and approved by the Office of the County Attorney.

LAW GOVERNING:

This Agreement shall be construed and enforced in accordance with the laws of the State of New York.

IN WITNESS WHEREOF, The County and the Municipality have executed this Agreement.

DIGITAL SIGNATURE PAGE

Jared Simpson-
Town Supervisor

Digitally signed by Jared Simpson-
Town Supervisor
Date: 2023.12.18 13:20:50 EST
Reason: Review/Sign contract
Location: Canandaigua, NY 14424

DeBolt Christopher-
County Administrator

Digitally signed by DeBolt Christopher-
County Administrator
Date: 2023.12.21 13:53:05 EST
Reason: County Administrator signature
Location: Canandaigua, NY 14424

SCHEDULE "A"
DOG CONTROL ORDINANCE
2024

Section 1: TITLE

This ordinance shall be known and may be cited as the Dog Control Ordinance of the Municipality.

Section 2: PURPOSE

The purpose of this ordinance shall be to preserve the public peace and good order in the Municipality and to contribute to the public welfare, safety and good order of its people by enforcing certain restrictions on the activities of dogs, consistent with the rights and privileges of the owners of dogs and of the other citizens of the Municipality.

Section 3: DEFINITIONS

- A. At large: Any dog shall be deemed to be at large if not accompanied by a person who
1. Is in full control of the dog, or
 2. Is providing restraint of the dog by secure leash or lead, or
 3. Has confined the dog to an enclosure, such as a cage or motor vehicle, in such a manner that the dog may not roam freely upon public lands elsewhere than on the premises of the owner or on the premises of another responsible person who has knowledge of the dog's presence and who assents thereto.
- B. Dog: Any member of the species *canis familiaris*.
- C. Owner: Any person who owns, keeps, harbors or has the care, custody or control of a dog. Dogs owned by minors under eighteen years of age shall be deemed to be in the custody and control of parents or other heads of the households where the minors reside. Any person harboring a dog for a period of one week prior to the filing of any complaint charging a violation of this ordinance shall be deemed to be the owner of the dog for the purposes of this ordinance.

Section 4: RESTRICTIONS

- A. No person shall permit a dog to be at large within the limits of the Municipality.
- B. No dog shall be at large within the limits of the Municipality.
- C. Every female dog in heat shall be confined in a building or secure enclosure in such a manner that such female dog cannot come into contact with another animal except for planned breeding.

Section 5: ENFORCEMENT

- A. Enforcement officers: The provisions of this ordinance may be enforced by any person, municipality, or organization for the prevention of cruelty to animals, appointed by law or pursuant to contract with the Municipality.
- B. Appearance tickets and process: Any person or entity authorized to enforce this ordinance may issue appearance tickets therefore, pursuant to the Criminal Procedure Law, may issue said tickets for any violation of Article 7 of the Agriculture and Markets Law of the State of New York, and is hereby authorized to serve any process relating to any proceeding, whether civil or criminal in nature, in accordance with the provisions of this ordinance. In the event an appearance ticket is unanswered, the Justice Court shall permit filing of information from the appropriate enforcement person and issue a warrant of arrest for the alleged violator.
- C. Seizure: Any dog found to be at large in the Municipality shall be seized, and properly fed and cared for, until redeemed or disposed of in accordance with the provisions of the Agriculture and Markets Law. Each such dog shall be held for a period of five to nine days, in accordance with the provisions of Section 118 of the Agriculture and Markets Law. Upon presentation of a valid license, and upon payment of the impoundment fees established by the aforesaid section, an owner may redeem such dog. In the event a dog is not redeemed within the statutory time period, an owner forfeits title to said dog, which shall then be made available for adoption or euthanized in accordance with law. The seizure of any dog shall not relieve any person of prosecution for violation of this ordinance.
- D. Commencement of proceedings: Any person found to have permitted any dog to be at large in the Municipality shall be issued an appearance ticket for violation of this ordinance, and shall be prosecuted in the manner herein provided.
- E. Prosecution of Violations: Pursuant to the Penal Law of the State of New York, a violation of this ordinance shall be punishable by a fine of not more than twenty-five dollars, except that 1) where the person was found to have violated this ordinance or Article 7 of the Agriculture and Markets Law within the preceding five years, the fine may be not more than fifty dollars, and 2) where the person was found to have committed two or more such violations within the preceding five years, it shall be punishable by a fine of not more than one hundred dollars or imprisonment for not more than fifteen days, or both.

Section 6: SEVERABILITY

If any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

Section 7: EFFECTIVE DATE

This ordinance shall take effect _____, or thirty days after the adoption thereof, whichever last occurs.

Investment Authorization

This authorization form is in keeping with the Town Board's Investment Policy adopted by the Town Board of the Town of Canandaigua annually at their Organizational Meeting, in keeping with Article XIV. Process for Investments, and shall be authorized by two of the following people holding the positions of: Town Supervisor, Chair of the Finance Committee, Town Clerk, Town Manager or Finance Clerk.

To: Town of Canandaigua Town Board
Authorized Banks of the Town of Canandaigua
(Canandaigua National Bank, Lyons National Bank, or NYCLASS)

The following individuals do hereby authorize the investment of \$3,146,917.79 (CD#2 3404)

☒ For a term of 61 days at a rate of 5.27% interest at CNB.
Issue date: 12/06/23 Maturity Date: 02/05/24

☐ Into a NYCLASS investment account.

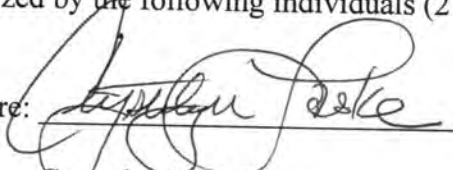
The funds being invested are made up of monies from the following funds:

General Fund AA100.0241.00000 - \$2,081,072.17

Highway DA100.0241.00000 - \$532,922.61

CDGA Cons. WD SW500.0241.00000 - \$532,922.61

Authorized by the following individuals (2 required):

Signature: 

Name: Crystelyn Laske

Title: Town Clerk

Date: 12/06/2023

Signature: 

Name: Jessica Mull

Title: Finance Clerk

Date: 12/06/2023

The Canandaigua National Bank and Trust Company
Certificate of Deposit Account

**Municipal
Account
\$100,000 and over
Account Receipt and
Disclosure**

This account is non-negotiable and non-transferable

Member
FDIC

Account Number 3404

Customer Name and Address

**Town of Canandaigua
5440 State Route 5 And 20
Canandaigua, NY 14424-9327**

**Issue Date
12-06-2023**

**Term
61 Days**

Amount \$3,146,917.39

**Interest Payment
At Maturity**

**Interest Payment Method
Simple**

**Mailing Address
5440 State Route 5 And 20
Canandaigua NY 14424-9327**

**Renewal Option
Non-Renewable**

**Form of Ownership
Municipal**

Tax I.D. No. 2197

By: Mary Kay Bashaw

(Bank Representative)

Rate Information

The interest rate for your certificate is **5.270** with an annual percentage yield of **5.34**. You will be paid this rate until the maturity date of the certificate. Your certificate will mature on **02-05-2024**. Interest will be paid at maturity.

Balance Computation Method

We use the daily balance method to calculate the interest on your account. This method applies a daily periodic rate to the principal in the account each day.

Minimum Balance Requirements

You must deposit a minimum of \$100,000 to open this account, and you must maintain a minimum balance of \$100,000 in the account every day to obtain the annual percentage yield.

Early Withdrawal Penalties

We will impose a penalty if you withdraw all or any portion of the principal before the maturity date. For accounts twelve (12) months or less, the fee imposed will equal three (3) months of interest. For accounts over twelve months, the fee imposed will equal six (6) months of interest. We have the right to invade the principal amount if the penalty assessed is greater than the accrued interest.

Transaction Limits

After you open this account, you may not make any additional deposits into or partial withdrawals from the account until the maturity date.

Renewal Policies

Non-automatically Renewable: This account will not automatically renew at maturity. The funds will be remitted in a non-interest bearing time deposit account upon the maturity date.

Accrual of Interest on Non-cash Deposits

Interest begins to accrue on the business day you deposit non-cash items (for example, checks).

ATTACHMENT 3

Reports of Boards, Committees, & Project Teams

ATTACHMENT 4

**2023 Agreement Between the Town of Canandaigua
and Canandaigua Emergency Squad**

This Agreement, made on January 9, 2023, between the **Town of Canandaigua** (herein after referred to as “Town”) located at 5440 Route 5 & 2, Canandaigua, NY, and the **Canandaigua Emergency Squad** (herein after referred to as “CES”) located at 233 N. Pearl Street, Canandaigua, NY.

In consideration of the amount of Five Thousand Dollars (\$5,000), to be paid to the Canandaigua Emergency Squad, CES agrees to provide services to the benefit of the residents of the Town of Canandaigua, for the year 2023. Such services shall specifically include providing timely and quality emergency medical services to all people in the Town and increasing public awareness and education relating to emergency response services.

In addition to these services, CES also agrees to provide:

- At least one CPR class free of charge for residents of the Town.
- At least one Stop The Bleed class free of charge for residents of the Town.
- At least one ambulance and appropriate staff at each Town festival.
- At least one first aid, AED, and CPR training and education class to all employees of the Town, charging only the price of a certification card.

On or before June 1, CES shall provide the Town Board of the Town of Canandaigua with an annual report of activities and services provided for the previous year.

This agreement may be renewed annually on January 1st of succeeding years by mutual consent of the agreeing parties.

TOWN OF CANADAIGUA:

CANANDAIGUA EMERGENCY SQUAD:

Doug Finch, Town Manager

Matthew Sproul, Chief

ATTACHMENT 5

**2023 Agreement Between the Town of Canandaigua
and Pine Bank Cemetery Board**

This Agreement, made on January 9, 2023, between the **Town of Canandaigua** (herein after referred to as “Town”) located at 5440 Route 5 & 2, Canandaigua, NY, and the **Pine Bank Cemetery Board** (herein after referred to as “Cemetery Board”) located at 5583 Wells Curtice Rd, Canandaigua, NY.

In consideration of the amount of Five Thousand Dollars (\$5,000), to be paid to the Pine Bank Cemetery Board, the Cemetery Board agrees to provide service and maintenance to the benefit of residents of the Town of Canandaigua, for the year 2023. Such service and maintenance shall specifically include preservation of green space and lawn care, preservation of historically significant gravesites, the offering of plots for purchase by Town residents, cleaning and repair of cemetery headstones, and participation in the Cheshire Memorial Day event by members of the Cemetery Board.

In addition to service and maintenance, the Pine Bank Cemetery Board also agrees to provide assistance to the Town Historian for ongoing research and to residents of the Town of Canandaigua seeking historic information regarding Pine Bank Cemetery.

On or before June 1, the Pine Bank Cemetery Board shall provide a copy of their Annual Report to the Town Board of the Town of Canandaigua.

This agreement may be renewed annually on January 1st of succeeding years by mutual consent of the agreeing parties.

TOWN OF CANANDAIGUA:

PINE BANK CEMETERY BOARD:

Doug Finch, Town Manager

Sharon Hook, President

ATTACHMENT 6

Town of Canandaigua

2024 Fee Schedule

Effective _____, 2024 -- **DRAFT**

No permit or certificate shall be issued, no approval shall be granted, no application shall be considered complete, no park reservation shall be confirmed, and no public hearing shall be scheduled or held until the fees, as established by the Town Board, have been paid in full. Accepted forms of payment are: cash, check, or credit card (Visa, MasterCard, and Discover).

CABIN / PAVILION / LODGE / HALL RENTALS:

- All lakeside cabins will be rented weekly when reservations are made prior to May 1 (Saturday 3pm to Saturday 10am).
- There is a two-night minimum for lakeside cabin rentals made May 1 through October 31.
- Upland cabins can be rented at any time for a two-night stay during the rental season.
- Upland Cabins are available May 1 to October 31
- Lakeside Cabins are available May 1 to October 31
- Onanda Park Parking Fees are in effect Memorial Day Weekend through Labor Day
- King Hall is available May 1 to October 31
- Gorham Lodge, Crouch Hall, Outhouse Park Hall, West Lake Road Schoolhouse, and all pavilions are available year-round.
- Babcock Hall is available Memorial Day weekend through Labor Day
- The cost for a multi-day cabin reservation shall not exceed the cost to rent a cabin for one week.
- ~~All rentals must be paid in full within 1 week of the request otherwise the reservation will be cancelled.~~
- All reservations must be paid for at the time of booking with a debit / credit card.
- To qualify for Town resident rates, a Town resident must make the reservation and be the primary user.
- The Town resident rate does not apply to reservations made by or on behalf of a company, organization, club, or association.
- Reservations made for a company, organization, club, or association shall provide their Certificate of Liability Insurance to the Town Clerk's office at the time the reservation is paid for.
- The resident must call the Town Clerk's office to obtain the discount code before making the online reservation. The discount is 30% off the non-resident rate.
- Public school districts will be charged the Town resident rate for all rentals.
- Cancellations made a minimum of 2 weeks prior to the arrival date will be eligible for a refund minus a \$50 cancellation fee. The Town Clerk has the authority to refund the entire reservation amount for extenuating circumstances.
- There are no refunds for pavilion cancellations, except for the Rotary Pavilion.
- Cancellations made a minimum of 2 weeks prior to the arrival date for a multiple facility reservation, will be eligible for a refund minus a \$50 cancellation fee for each canceled facility.
- Cancellations due to extenuating circumstances, may be rescheduled within the same calendar year without penalty.

Onanda Park Cabins: Weekly Rentals (2 weeks max)	Town Resident	Non-Resident
<u>Upland Cabins:</u> Oawensa, Chowat, Gowana, Chule, Kiniks, Adsila	\$175 \$239	\$285 \$342

<u>Lakeside Cabins</u> : Anekule (7), Tilipe (5), Haeho (14), Wapoos (11), Wequash (13), and Little House (2)	\$200 \$302	\$360 \$432
Abode (3)	\$300 \$407	\$485 \$582
Hayowentha (12)	\$425 \$554	\$660 \$792
Onanda Park Cabins: Daily Rentals (3pm to 10am)		
<u>Upland Cabins</u> : Oawensa, Chowat, Gowana, Chule Kiniks, Adsila	\$55 \$76	\$90 \$108
<u>Lakeside Cabins</u> : Anekule (7), Tilipe (5), Haeho (14), Wapoos (11), Wequash (13), and Little House (2)	\$70 \$84	\$100 \$120
Abode (3)	\$75 \$97	\$115 \$138
Hayowentha (12)	\$100 \$139	\$165 \$198
Onanda Park Cabins: Off-Season Weekly Rates (Lakeside Cabins Only – May 1 to Thursday before Memorial Day Weekend and Tuesday after Labor Day to October 31)		
<u>Lakeside Cabins</u> : Anekule (7), Tilipe (5), Haeho (14), Wapoos (11), Wequash (13), and Little House (2)	\$150 \$360	\$310 \$372
Abode (3)	\$175 \$302	\$360 \$432
Hayowentha (12)	\$375 \$512	\$610 \$732
Onanda Park Cabins: Off-Season Daily Rates (2 Night Minimum) (Lakeside Cabins Only – May 1 to Thursday before Memorial Day Weekend and Tuesday after Labor Day to October 31)		
<u>Lakeside Cabins</u> : Anekule (7), Tilipe (5), Haeho (14), Wapoos (11), Wequash (13), and Little House (2)	\$55 \$71	\$85 \$102

	Abode (3)	\$60 \$84	\$100 \$120
	Hayowentha (12)	\$85 \$126	\$150 \$180
Onanda Park Parking Fees:	Season Passes	\$35 \$56	\$65 \$80
	Weekday per Vehicle	\$5	\$5
	Weekends and Holidays per Vehicle	\$7 \$10	\$7 \$10
	Daily Walk-In per Person (excluding field trips of schools located in Canandaigua)	\$1	\$1
	Water Trail (access from water by non-motorized craft)	\$0	\$0
		Town Resident	Non- Resident
Gorham Lodge	Overnight Rental (3pm to 10am)	\$320 \$357	\$425 \$510
	Full Day Rental (9am to 9pm)	\$250 \$273	\$325 \$390
	½ Day Rental (9am to 3pm OR 3pm to 9pm)	\$130 \$147	\$175 \$210
Crouch Hall @ Onanda Park	9am to 9pm	\$150 \$189	\$225 \$270
Babcock Hall @ Onanda Park (3 hours parties: 10am to 1pm or 2pm to 5pm)		\$50 \$42	\$50 \$60
King Hall @ Onanda Park	9am to 9pm	\$130 \$168	\$200 \$240
Pavilions @ Onanda Park (9am – 9pm)	Rotary	\$75 \$92	\$110 \$132
	Holden	\$55 \$71	\$85 \$102

Upland Pavilions (31, 38, or 42)	\$50 \$56	\$75 \$90
Bundles of Wood @ Onanda Park (when available)	\$5	\$5
West Lake Road Schoolhouse (9am – 9pm) Monday Friday	\$25 \$29	\$35 \$42
Saturday or Sunday	\$40 \$50	\$60 \$72
Outhouse Hall 9am to 9pm	\$100 \$126	\$150 \$180
Outhouse Park Pavilion 9am to 9pm	\$30 \$38	\$45 \$54
Pierce Park Pavilion #1 9am to 9pm	\$15 \$25	\$30 \$36
Pierce Park Pavilion #2 9am to 9pm	\$15 \$25	\$30 \$36
Blue Heron Pavilion 9am to 9pm	\$15 \$25	\$30 \$36
Credit Card Convenience/Processing Fee	2.5%	2.5%
Cart Fee	5¢	5¢
FireFly Reservation Fee	\$3.50	\$3.50
Book-Your-Site Fee	\$5	\$5
Facility Alcohol Permit	\$100 \$84	\$100 \$120

Sponsorship:		
Bench Sponsorship with Engraved Plaque	\$400	\$400
Tree Sponsorship with a Tree and Engraved Stone	\$400	\$400

Parks Event Sponsorship (Movie Night – Concert Nights)	\$250	\$250
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DEVELOPMENT OFFICE:		
Zoning Board of Appeals:	Area Variance, Use Variance, Interpretation (Per Requested Variance)	\$100
Solar:	Small Scale Solar Residential	\$100
	Large Scale Solar Facility (where permitted)	\$5 per kw
Planning Board:		
Special Use Permit Application, Sketch Plan Application		\$100
Lot Line Adjustments (for each existing and proposed lot)		\$100 per lot
Major Subdivision (5 or more lots) – Preliminary Approval		\$1,000 plus \$100 per lot
Major Subdivision (5 or more lots) – Final Approval		\$1,000 plus \$100 per lot
Minor Subdivision (up to and including 4 lots) – Preliminary Approval		\$250 plus \$50 per lot
Minor Subdivision (up to and including 4 lots) – Final Approval		\$250 plus \$50 per lot
Formed Based Code Reviews:		
Site Plan Review (Minor – Under 5,000 sf)		\$250
Site Plan Review (Major – 5,000 sf or greater)		\$500
Park and Recreation Fee (per dwelling unit)		\$1,500 per unit
Site Plan / Construction / Building Permits:		
Single Family (Residential) Dwelling / Manufactured Home (AR1, AR2, R120, R130, RLD, RR3, SCR1)		
Planning Board Site Plan Approval		\$150
Extension of Site Plan Approval		\$100
Construction, expansion or structural alternation, including accessory structures		\$50 plus 20¢ per sq ft (Minimum \$100)
Roof		\$100
Mechanical improvements		\$50
Multiple Family Dwelling (MR, MR281, MH)		
Site Plans – Preliminary Approval		\$250 plus \$50 per dwelling unit

Site Plans—Final Approval	\$250 plus \$50 per dwelling unit
Extension of Site Plan Approval	\$100
New Construction, expansion or structural alternations	\$500 plus 30¢ per sq ft
Roof	\$100
Mechanical improvements	\$200
Unlisted Permit	\$100
Issuance of Special Use Permit	\$50
Sign Permit	\$150 per sign
Soil Erosion & Sedimentation	\$150
MS4 Acceptance Certificate	\$150
Hot Tub / Pool (Above Ground)	\$100
Hot Tub / Pool (In Ground)	\$150
Hot Tub / Pool Re-Inspection (for each re-inspection)	\$50
Open Building Permit Extension	\$100
Certificate of Compliance (not associated with current building permit)	\$50
Certificate of Pre-Existing Non-Conforming	\$100
Certificate of Non-Conformity	\$100
Release of Stop Work Order	\$100
Park & Recreation (Per Dwelling Unit)	\$1,500 per unit

Consultant Fees	See Town- Code Chapter 11
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Commercial and Industrial (CC, NC, I, LI, RB1)	
Site Plan Approval—Preliminary	\$250
Site Plan Approval—Final	\$250
Extension of Site Plan Approval	\$100
New Construction, expansion or structural alterations	\$500 plus 30¢ per sq ft
Roof	\$100
Mechanical improvements	\$500
Interior Renovation / Modification	\$500
Issuance of Special Use Permit	\$50
Soil Erosion and Sedimentation	\$150
MS4 Acceptance Certificate	\$150
Sign Permit	\$250 per sign
Sign Permit—Tenant Identification Sign	\$150 per sign
Fire Safety Re-Inspection	\$100
Unlisted Permits	\$100
Certificate of Compliance (not associated with current building permit)	\$50
Certificate of Pre-Existing Non-Conforming	\$100
Certificate of Non-Conformity	\$100

Open Building Permit Extension	\$100
Release of Stop Work Order	\$100
Park & Recreation Fee	\$1,500 per unit
Consultant Fees	See Town Code Chapter 11

One and two-family dwellings (Group R-3)		
Category	Description	Fee
New home	Construction of a new one- or two-family home	\$100.00 + \$0.25/square foot (\$400.00 minimum)
Accessory structures	New or addition to garage, carport, breezeway, deck, greenhouse, etc.	\$0.10/square foot (\$75.00 minimum)
Fireplace/solid fuel appliance	Installation or replacement of a fireplace/solid fuel appliance and its associated equipment.	\$75.00
Building equipment/systems	Installation, replacement, extension, alterations, or repair to any electrical, mechanical, septic, sewer, etc. system when not part of other construction	\$100.00
Addition	Construction of an addition with habitable space	\$75.00 + \$0.20/square foot (\$100.00 minimum)
Conversion of non-habitable space	Convert existing non-habitable space to habitable space	\$75.00 + \$0.20/square foot (\$100.00 minimum)
Remodel	Renovate existing space, including alteration from one-family to two-family and fire damage repair	\$75.00 + \$0.15/square foot (\$100.00 minimum)
Minor alterations	Minor work, replacement of insulation, etc., provided no change to habitable space	\$75.00
Roof	Residential Tear off and Re-Roof.	\$100.00
Consultant Fees		See Town Code Chapter 111

Multiple dwellings (Group R-1, R-2, R-4)		
Category	Description	Fee
New building	Construction of a new R-1, R-2, R-4 building	\$0.35/square foot (\$400.00 minimum) + \$150/ unit
Accessory structures	New or addition to garage, carport, breezeway, deck, greenhouse, etc.	\$0.10/square foot (\$75 minimum)
Fireplace/solid fuel appliance	Installation or replacement of a fireplace/solid fuel appliance and its associated equipment.	\$75.00

Building equipment/systems	Installation, replacement, extension, alterations, or repair to any electrical, mechanical, septic, sewer, etc. system when not part of other construction	\$150.00
Addition	Construction of an addition with habitable space	\$0.30/square foot (\$200.00 minimum) + \$150/unit
Conversion of non-habitable space	Convert existing non-habitable space to habitable space	\$0.30/ square foot (\$200.00 minimum) + \$150/unit
Remodel	Renovate existing space, including alteration from one-family to two-family and fire damage repair	\$0.25/square foot (\$100.00 minimum) + \$150/unit
Minor alterations	Minor work, such as replacement of insulation, etc., provided no change to habitable space	\$75.00
Roof	Residential Tear off and Re-Roof or New Roofing System.	\$150.00
Consultant Fees		See Town Code Chapter 111

Commercial (Group A, B, E, F, H, I, M, S, U)		
Category	Description	Fee
New or added construction	Construction of new building, or addition to existing, with tenants	\$0.35/square foot +\$500.00 Per Tenant
New shell	Construction of basic structure of building, no tenant	\$0.25/square foot + \$500.00 Per Tenant Space
Alter, remodel, renovate	Alteration of interior space.	\$0.30/square foot +\$500.00 Per Tenant Space
Accessory structures	New or addition to garage, carport, breezeway, deck, greenhouse, etc.	\$0.15/square foot (\$75.00 minimum)
Building equipment /systems	Installation, replacement, extension, alterations, or repair to any electrical, mechanical, septic, sewer, etc. system when not part of other construction	\$200.00
Roof	New Roof system or tear off and Re-Roof	\$250.00
Consultant Fees		See Town Code Chapter 111

Manufactured homes (Group R-3)		
Category	Description	Fee
Unit inspection	Installation of a new home	\$400.00
Accessory structures	New or addition to garage, carport, breezeway, deck, greenhouse, etc.	\$0.10/square foot (\$75.00 minimum)

Fireplace/ solid fuel appliance	Installation or replacement of a fireplace/solid fuel appliance and its associated equipment.	\$75.00
Building equipment/systems	Installation, replacement, extension, alterations, or repair to any electrical, mechanical, septic or sewer system when not part of other construction	\$100.00
Remodel	Renovate existing space, including fire damage repair	\$75.00 + \$0.15/square foot (\$100.00 minimum)
Minor alterations	Minor work, replacement of insulation, etc., provided no change to habitable space	\$75.00
Consultant Fees		See Town Code Chapter 111

General		
Category	Description	Fee
Short-Term Rental Registration	Special use permit to operate a short-term rental.	\$900.00/Dwelling
Consultant Fees	Expenses incurred by the Town of Canandaigua through provision of services or processing and/or reviewing any application to the Town of Canandaigua.	See Town Code Chapter 111
Parks and Recreation Fee	Per dwelling unit subject to Planning Board Condition.	\$1,500.00
Pool	Installation of new pool	
	Above ground (includes barrier and up to 200 sq ft of deck.)	\$100.00 plus \$.10 sq ft for decks greater than 200 sq ft
	In-ground (includes barrier)	\$150.00
Signs	Installation of sign excluding directional signs as defined by Town Code .	\$200.00
Demolition	Removal of any existing building, pool, structure, etc., when not part of new construction	
	Accessory Structure	\$75.00
	Single Family Residential	\$150.00
	Multi-Family Residential	\$250.00
	Commercial Structure	\$450.00
Agricultural Structure	Agricultural Structure, used to house farm implements, hay, grain, poultry, livestock or other horticultural products.	\$50.00
Fence	Installation of fence (Residential)	\$50.00
	Installation of fence (Commercial)	\$150.00

Solar	Small Scale Solar Facility	\$150.00
	Tiers 1, 2, 3 & 4 Solar Facility	\$150.00 plus \$7.00 per KW
Renewal fee	Extension of permit	1/3 rd Original Fee
No show or Covered prior to inspection	Re-inspection, covered prior to inspection, failure to notify for inspection at the discretion of the CEO.	\$50.00 Per Inspection
Compliance permit	Visual inspection of previously existing conditions following failure to obtain a building permit.	Two times the permit amount.
Stop Work Order Release	Fee to be paid prior to the release of a Stop Work Order that has been issued. At the discretion of the CEO.	\$250.00 1 st order. \$500.00 2 nd order. \$1,000.00 3 rd order and subsequent orders.
Operating permits	Assembly (Tax-exempt properties may have fee waived if accompanied by current proof of 501-C3 Exemption.)	\$300.00
	Hazardous occupancy	\$250.00
	Operating permit re-inspection	\$100.00
	Tents	\$75.00
	Pyrotechnic	\$75.00
Soil Erosion and Sedimentation Control.	Soil, Erosion and Sedimentation.	\$200.00
	MS4 Acceptance Certificate	\$150.00
	Flood Plain Development Permit	\$50.00
Site Development	Less than 1 acre of total disturbance	\$100.00
	1 to 5 acres of total disturbance	\$150.00 per acre
	5 + acres of total disturbance	\$200.00 per acre
Communication Towers (New)	New construction of a communication tower.	\$5.00 per ft in height
Communication Tower Antenna.	New or replacement antenna on an existing communication tower.	\$75.00 per unit.
Consultant Fees		See Town Code Chapter 111

Short Term Rental Registration:	
	3-Year Permit Fee \$900/dwelling
Unlisted Permits	\$50
Issuance of Special Use Permit	\$50
Sign Permit	\$150 per sign
Soil Erosion & Sedimentation	\$150
MS4 Acceptance Certificate	\$150

Hot Tub / Pool (Above Ground)	\$100
Hot Tub / Pool (In Ground)	\$150
Hot Tub / Pool Re-Inspection (for each re-inspection)	\$50
Certificate of Compliance (not associated with current building permit)	\$50
Certificate of Pre-Existing Non-Conforming	\$100
Certificate of Non-Conformity	\$100
Open Building Permit Extension	\$100
Release of Stop Work Order	\$100
Park & Recreation (Per Dwelling Unit)	\$1,500 per unit
Consultant Fees	See Town Code Chapter 11

¹Categories are defined by the occupancy classifications described in the NYS Uniform Fire Prevention and Building Code. Floor or ground area shall be based on the outside dimensions; living area to include breezeway, mud-room, enclosed porch, attached garage, attic and living area in the basement. This calculation shall apply to both new and/or renovated space.

²See Zoning and/or Code Enforcement Officer for Permit Requirements.

³ “Structural Alteration” includes windows, doors, and load bearing modifications.

⁴ “Mechanical Improvements” include HVAC, electrical, heating and roofs.

WATER DEPARTMENT		
Meters for Canandaigua Consolidated & Bristol Water Districts Only: (The pricing includes tapping of the water main, bronze saddle, corporation stop, curb box valve, curb box, SS rod, water meter, and right-angle meter valve and inspection of trench)		
	¾"	\$1,020
	1"	\$1,145
	1.5"	Contact Water Superintendent
	2"	Contact Water Superintendent
	Water meter larger than 2"	Contact Water Superintendent
	¾ inch water meter, cellular endpoint, right angle meter valve and inspection	\$590
	1 inch water meter, cellular endpoint, right angle meter valve and inspection	\$660
Meter pits are required when the location of the structure is farther than 500 feet from the road.		
	¾" meter pit	\$1,065
	1" meter pit	\$1,250
Replacement Cost of Water Meter Materials:		
	Electronic reading device (cellular endpoint)	\$286
	Register for water meter	\$105
	¾" water meter replacement	\$110
	1" water meter replacement	\$225
	1 ½ " water meter replacement	Contact Office
	2" water meter replacement	Contact Office
Directional Drilling Under A Road:	Up to 2" Pipe	\$1,500 \$1,700.00
	2" and larger	Contact Water Superintendent
Testing water meter for accuracy		\$100

Hydrant Meter Rental (Includes a water meter and back flow device that will be connected to the hydrant by the Water Department. A \$500 deposit is required. When equipment is returned in working condition, deposit will be refunded). Hydrant meter rentals will be invoiced monthly.	\$100 rental fee/month plus \$6.50 per 1,000 gallons
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Water Charge to Town of East Bloomfield	\$3.36711 per 1,000 gallons \$ 3.52
Water Charge to the Town of Hopewell, Town of Farmington, and Town of Gorham	\$2.430 per 1,000 gallons

Canandaigua Consolidated District Fees:			
Meter Size	Gallons of Consumption	Minimum Bill \$4.91 \$5.38 per 1,000 Gallons	Additional Cost Per 1,000 Gallons
¾"	0 – 6,000	\$29.46 \$ 32.28	\$5.29 \$5.98
1"	0 – 10,000	\$49.10 \$53.80	
1 ½"	0 – 16,000	\$78.56 \$86.08	
2"	0 – 30,000	\$147.30 \$161.40	
3"	0 – 50,000	\$245.50 \$269.00	
4"	0 - 80,000	\$392.80 \$430.40	
6"	0 – 160,000	\$785.60 \$860.80	
8" – 12"	0 – 200,000	\$982.00 \$1,076.00	

Bristol Water District Fees:			
Meter Size	Gallons of Consumption	Minimum Bill \$5.50 \$6.00 per 1,000 Gallons	Additional Cost Per 1,000 Gallons
¾"	0 – 6,000	\$33.00 \$36.00	\$5.97 \$6.75
1"	0 – 10,000	\$55.00 \$60.00	
1 ½"	0 – 16,000	\$88.00 \$96.00	
2"	0 – 30,000	\$165.00 \$180.00	
3"	0 – 50,000	\$275.00 \$300.00	
4"	0 - 80,000	\$440.00 \$480.00	
6"	0 – 160,000	\$880.00 \$960.00	
8" – 12"	0 – 200,000	\$1,100.00 \$1,200.00	

Fee Schedule for Town of Canandaigua Water Department to Repair the Water System:		
The purpose of this section is for the setting of fees associated with the Town of Canandaigua Water Department to repair any damage that may occur to the water system by an outside agency. Some examples, including but not limited to, are damage to the water main, water service, curb stop, or meter pit or any other water infrastructure that is in the right of way. The Water Department does not maintain any water infrastructure after the curb stop. The need for repair and the type of repair are at the sole discretion of the Town of Canandaigua Water Superintendent. Additional materials fees may apply. The responsible party will be invoiced according to the following:		
Employees:		
Labor per hour, straight time		\$50.00
Labor per hour, on overtime		\$95.00
Administrative cost, per hour		\$80.00

Heavy Equipment:		
Excavator 20 ton, per hour		\$180.00
Mini excavator, per hour		\$100.00
Dump truck, per hour		\$95.00

Water loss, calculated by the Water Superintendent	\$6.50 per 1,000 gallons
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TRANSFER STATION

<u>Transfer Station Coupons:</u> (Coupons, \$2 each, can be purchased at the Town Clerk's office or at the Transfer Station. The machine at the Transfer Station only accepts 1's, 10's and 20's.)	<u># of Coupons Required</u>
<u>Furniture:</u>	
<u>Stuffed Chair</u>	2
<u>Couch, Love Seat, Sectional (EACH section)</u>	4
<u>Kitchen Chair, Stool, Office Chair, or Patio Chair</u>	1
<u>Coffee/Side Table, Small Shelf</u>	1
<u>Kitchen Table, Desk, Small Dresser, or Book Case</u>	2
<u>Large Dining Table (w/ leaves), Over-Sized Desk, or Large Dresser</u>	4
<u>Mattress (Twin Size)</u>	2
<u>Mattress (Full or Larger Size)</u>	3
<u>Box Spring (Twin Size)</u>	2
<u>Box Spring (Full or Larger Size)</u>	3
<u>Construction & Demolition Debris:</u>	
<u>9' x 12' Carpet</u>	3
<u>9' x 12' Carpet Padding</u>	2
<u>Bath Tub, Toilet, Vanity, or Sink</u>	2
<u>30 Gallon Bag or Garbage Can (unit of measure)</u>	1
<u>55 Gallon Barrel (unit of measure)</u>	2
<u>Wood, Drywall, Vinyl Siding: ½ Bed Pick-Up Load</u>	10
<u>Wood, Drywall, Vinyl Siding: Full Bed Pick-Up Load*</u>	20
<u>Shingles or Tile: ½ Bed Pick-Up Load</u>	12
<u>Shingles or Tile: Full Bed Pick-Up Load*</u>	24
<u>*Additional fees will apply for trailer or oversized truck loads</u>	
Transfer Station Permit Placard (2 Year)*2023 permits valid through 2024	Free

TOWN BOARD

Petition to Amend Official Zoning Map (Mixed Use Overlay Districts)	\$50
Formal Rezoning Process	\$500

TOWN CLERK OFFICE		
Dog Licenses:	Spayed / Neutered	\$20 \$23
	Unspayed / Unneutered	\$30 \$33
	Replacement Tag	\$3
Late Fee (if not paid within 30 days of first renewal notice) The Town Clerk has the authority to waive Late Fee for extenuating circumstances.		\$5
Marriage License (Includes Certificate of Marriage Registration):		
	Active Military	\$17.50
	Non-Military	\$40
Application for One Day Marriage Officiant License		\$25
Certified Transcript of Marriage Request – No Record Certification		\$10
Certified Transcript of Marriage (per transcript)		\$10
Birth Certificate Request – No Record Certification		\$10
Birth Certificate (per certificate)		\$10
Death Certificate Request – No Record Certification		\$10
Death Certificate (per certificate)		\$10
Genealogy Search (dependent on number of years to be searched, unused fees to be refunded):		
1 – 3 Years		\$22
4 – 10 Years		\$42
11 – 20 Years		\$62
21 - 30 Years		\$82
31 – 40 Years		\$102
41 – 50 Years		\$122
51 – 60 Years		\$142
61 – 70 Years		\$162
Hunting / Fishing Licenses		NYS DEC
FOIL:	8 ½” 11” / 8 ½” x 14” / 8 ½” x 17”	25¢ / page
	32 GB Flash Drive	\$4.50
	64 GB Flash Drive	\$9.98
Map Charges (larger than 11” x 17”)		Per Ontario County Copy Rate
Games of Chance		\$25
Returned Check Fee		\$20
Burial Fees at Academy Cemetery:		
	Adult Casket	\$500
	Cremation	\$350
	Infant	\$200
Copies	8 ½” 11” or 8 ½” x 14” or 11” x 17”	25¢ single or double sided
Peddler & Soliciting Permit		\$100 / Applicant

History: Adopted by the Town Board of the Town of Canandaigua 6/6/77. Amended in its entirety by resolution on 11/7/83, 6/11/90, and 5/8/95 except for those fees listed separate under local law. Further amended 4/3/07, 12/18/07, 3/3/09, 4/21/09; 12/15/10; 1/3/11; 2/13/12, 1/28/13, 1/6/14, 4/28/14, 1/5/15, 12/21/15, 5/16/16, 7/18/16, 9/19/16, 1/9/2017, 4/17/17, 5/15/17, 1/8/18, 5/21/18, 8/20/18; 1/7/19, 2/11/2019, 3/18/19,

7/1/19, 8/19/19, 1/6/ 2020, 3/16/20, 12/21/2020, 4/19/2021, 1/10/2022; 4/19/2022, 6/13/2022, 7/19/2022, 1/9/2023, 3/20/2023, April 17, 2023.

ATTACHMENT 7



Town of Canandaigua , NY

Detail Report-JM

Account Detail

Date Range: 01/01/2019 - 12/18/2023

Account	Name					Beginning Balance	Total Activity	Ending Balance
Fund: HH100 - CAPITAL PROJECTS								
Asset								
HH100.0202.00028 CASH - INVESTMENTS.HWA ERADICATION						0.00	-875.73	-875.73
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Project Account	Amount	Running Balance
11/19/2019	GLPKT00443	JN00695		2019-11-19 Nov Abstract Cash Transfer			-3,070.71	-3,070.71
12/31/2019	GLPKT00579	JN00940		2020-01-17 NYS Grant Reimb. Deposit R...			2,677.48	-393.23
12/31/2019	GLPKT00627	JN01064		REV 2020-01-17 NYS Grant Reimb. Depo...			-2,677.48	-3,070.71
01/07/2020	GLPKT00563	JN00903		2020-01-07 Cash Transfer for 1-6-20 Abs...			-225.00	-3,295.71
01/17/2020	GLPKT00627	JN01066		2020-01-17 NYS Grant Reimb. Deposit R...			2,677.48	-618.23
02/26/2020	GLPKT00713	JN01212		IFT Per Reso #2019-253 for H28			1,124.23	506.00
11/30/2020	GLPKT01145	JN01864		2020-11-30 Inv Savings Interest Deposit			0.04	506.04
12/01/2020	GLPKT01143	JN01856		2020-12-01 Utility Abstract Cash Transfer			-5,592.05	-5,086.01
02/01/2021	GLPKT01263	JN02040		2021-02-01 DEC Reimbure (H28) Deposit..			5,000.00	-86.01
12/22/2021	GLPKT01679	JN02688		2021-12-22 Town Board Abstract Cash T...			-6,634.80	-6,720.81
03/28/2022	GLPKT01819	JN02933		2022-03-28 DEC Reimb Deposit Receipt ...			6,000.00	-720.81
10/19/2022	GLPKT02090	JN03294		2022-10-17 JM TB abstract cash transfer			-2,250.00	-2,970.81
12/09/2022	GLPKT02177	JN03389		2022-12-09 NYS DEC Deposit Receipt #3...			1,870.08	-1,100.73
12/18/2023	GLPKT02768	JN04267		GL correction for H28 expense			225.00	-875.73
HH100.0440.00028 DUE FROM OTHER GOVERNMENTS.HWA ERADICATION						0.00	0.00	0.00
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Project Account	Amount	Running Balance
12/31/2019	GLPKT00627	JN01065		To record 2019 grant reimbursement (r...			2,677.48	2,677.48
01/17/2020	GLPKT00627	JN01066		2020-01-17 NYS Grant Reimb. Deposit R...			-2,677.48	0.00
Total Asset:						Beginning Balance: 0.00	Total Activity: -875.73	Ending Balance: -875.73
Revenue								
HH100.2401.00028 INTEREST & EARNINGS.HWA ERADICATION						0.00	-0.04	-0.04
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Project Account	Amount	Running Balance
11/30/2020	GLPKT01145	JN01864		2020-11-30 Inv Savings Interest Deposit			-0.04	-0.04
HH100.3092.00028 STATE AID CAPITAL.HWA ERADICATION						0.00	-15,547.56	-15,547.56
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Project Account	Amount	Running Balance
12/31/2019	GLPKT00579	JN00940		2020-01-17 NYS Grant Reimb. Deposit R...			-2,677.48	-2,677.48
12/31/2019	GLPKT00627	JN01064		REV 2020-01-17 NYS Grant Reimb. Depo...			2,677.48	0.00
12/31/2019	GLPKT00627	JN01065		To record 2019 grant reimbursement (r...			-2,677.48	-2,677.48
02/01/2021	GLPKT01263	JN02040		2021-02-01 DEC Reimbure (H28) Deposit..		HH100309200028	-5,000.00	-7,677.48
03/28/2022	GLPKT01819	JN02933		2022-03-28 DEC Reimb Deposit Receipt ...		HH100309200028	-6,000.00	-13,677.48
12/09/2022	GLPKT02177	JN03389		2022-12-09 NYS DEC Deposit Receipt #3...		HH100309200028	-1,870.08	-15,547.56

Detail Report-JM

Date Range: 01/01/2019 - 12/18/2023

Account		Name				Beginning Balance	Total Activity	Ending Balance
HH100.5031.00028		INTERFUND TRANSFER.HWA ERADICATION				0.00	-1,124.23	-1,124.23
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Project Account	Amount	Running Balance
02/26/2020	GLPKT00713	JN01212		IFT Per Reso #2019-253 for H28			-1,124.23	-1,124.23

Total Revenue: Beginning Balance: 0.00 Total Activity: -16,671.83 Ending Balance: -16,671.83

Expense								
HH100.7110.402.00028		PARKS-TREES & LANDSCAPE.CONT.HWA ERADICATION				0.00	17,547.56	17,547.56
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Project Account	Amount	Running Balance
11/18/2019	POPKT00008	201970	16247	HWA Eradication Treatment	HVTREE - CGL Arbor Services		3,070.71	3,070.71
12/31/2019	APPKT00144	2015-1879	16443	Onanda HWA Grant Project Sign	OC SIGNS - ONTARIO COUNTY SIGNS	HH100711040200028	225.00	3,295.71
12/01/2020	APPKT00283	202054	17643	Treatment for Trees at Onanda Park	HVTREE - CGL Arbor Services	HH100711040200028	5,592.05	8,887.76
12/20/2021	APPKT00415	191313	19028	HWA Eradication Treatments at Onanda...	HVTREE - CGL Arbor Services	HH100711040200028	6,634.80	15,522.56
10/17/2022	APPKT00549	191390	20143	treatment in Barnes Gully for invasive s...	HVTREE - CGL Arbor Services	HH100711040200028	2,250.00	17,772.56
12/18/2023	GLPKT02768	JN04267		GL correction for H28 expense		HH100711040200028	-225.00	17,547.56

Total Expense: Beginning Balance: 0.00 Total Activity: 17,547.56 Ending Balance: 17,547.56

Total Fund: HH100 - CAPITAL PROJECTS: Beginning Balance: 0.00 Total Activity: 0.00 Ending Balance: 0.00

Grand Totals: Beginning Balance: 0.00 Total Activity: 0.00 Ending Balance: 0.00

Fund Summary

Fund	Beginning Balance	Total Activity	Ending Balance
HH100 - CAPITAL PROJECTS	0.00	0.00	0.00
Grand Total:	0.00	0.00	0.00

Worksheet for HWA budget

	Contractual- Exp.	Grant Funds Contractual- Reimb.	Match Contractual- Match	Match Personal- Salary	Match Personal- Fringe
Exp/Reimb. #1 Apr-Dec 2019	\$ 3,070.71	\$ 2,677.48	\$ 393.23	\$ 656.64	\$ 229.77
Exp/Reimb. #2 Jul-Sept 2020	\$ 5,592.05	\$ 5,000.00	\$ 592.05	\$ 97.28	\$ 34.04
Exp. #3 Oct-Dec 2020	\$ -	\$ -	\$ -	\$ 340.48	\$ 119.14
Exp. #4 Jan-Mar 2021	\$ -	\$ -	\$ -	\$ 72.96	\$ 25.53
Exp. #5 Apr-Sep 2021	\$ -	\$ -	\$ -	\$ 243.20	\$ 85.10
Exp. #6 Oct-Dec 2021	\$ 6,634.80	\$ 6,000.00	\$ 634.80	\$ 194.56	\$ 68.08
Exp. #7 Jan-Mar 2022	\$ -	\$ -	\$ -	\$ 85.12	\$ 29.79
Exp. #8 Apr-Jun 2022	\$ -	\$ -	\$ -	\$ 97.28	\$ 34.04
Exp. #9 Jul-Sep 2022 FINAL	\$ 2,250.00	\$ 1,870.08	\$ 379.92	\$ 243.20	\$ 85.10
Total	\$ 17,547.56	\$ 15,547.56	\$ 2,000.00	\$ 2,030.72	\$ 710.59

Grant Funds	Remaining
\$ 15,617.77	\$ 70.21
Match-Contractual	
\$ 2,000.00	\$ -
Match-Salary	
\$ 2,001.00	\$ (29.72)
Match-Fringe	
\$ 700.00	\$ (10.59)
Expenditures To-Date	
\$ 20,288.87	

Contract Budget - For Reference

Category of Expense	GRANT FUNDS	MATCH FUNDS	MATCH %	OTHER FUNDS	TOTAL
1. Personal Services					
a) Salary	\$0.00	\$2,001.00	0 %	\$0.00	\$2,001.00
b) Fringe	\$0.00	\$700.00	0 %	\$0.00	\$700.00
Subtotal	\$0.00	\$2,701.00	0 %	\$0.00	\$2,701.00
2. Non Personal Services					
a) Contractual Services	\$15,617.77	\$2,000.00	12 %	\$0.00	\$17,617.77
b) Travel	\$0.00	\$0.00	0 %	\$0.00	\$0.00
c) Equipment	\$0.00	\$0.00	0 %	\$0.00	\$0.00
d) Space/Property & Utilities	\$0.00	\$0.00	0 %	\$0.00	\$0.00
e) Operating Expenses	\$0.00	\$0.00	0 %	\$0.00	\$0.00
f) Other	\$0.00	\$0.00	0 %	\$0.00	\$0.00
Subtotal	\$15,617.77	\$2,000.00	12 %	\$0.00	\$17,617.77
TOTAL	\$15,617.77	\$4,701.00	30 %	\$0.00	\$20,318.77



Town of Canandaigua , NY

Project Activity Report

By Project Number

Report Dates: 01/01/2019 - 12/18/2023

Project Number	Project Name	Group	Type	Status		
28	Invasive Species Grant	Project focus on environmental impact	Multi-year Capital Project	Project is Active		
Revenues						
Account Key	Account Name	Category	Total Activity			
HH100309200028	STATE AID CAPITAL.HWA ERADICATION	Category - Category	-15,547.56			
GL Account Number	GL Account Name	Post Date	Description	Vendor Name	Item Number	Activity
NO GL ACCOUNT		12/31/2019	DEC Grant Reimbursement			2,677.48
NO GL ACCOUNT		12/31/2019	DEC Grant Reimbursement (correct entry)			-2,677.48
NO GL ACCOUNT		12/31/2019	To correct revenue entered as positive #			-2,677.48
2019 Total:						-2,677.48
HH100.3092.00028	STATE AID CAPITAL.HWA ER...	02/01/2021	2021-02-01 DEC Reimbure (H28) Deposit Receipt #2501			-5,000.00
2021 Total:						-5,000.00
HH100.3092.00028	STATE AID CAPITAL.HWA ER...	03/28/2022	2022-03-28 DEC Reimb Deposit Receipt #2855			-6,000.00
HH100.3092.00028	STATE AID CAPITAL.HWA ER...	12/09/2022	2022-12-09 NYS DEC Deposit Receipt #3036			-1,870.08
2022 Total:						-7,870.08
HH100503100028	INTERFUND TRANSFER.HWA ERADICATION	Category - Category				-1,124.23
GL Account Number	GL Account Name	Post Date	Description	Vendor Name	Item Number	Activity
NO GL ACCOUNT		02/26/2020	IFT Per Reso #2019-253			1,124.23
NO GL ACCOUNT		02/26/2020	IFT Per Reso 2019-253 (correct entry)			-1,124.23
NO GL ACCOUNT		02/26/2020	To reverse revenue entered as positive #			-1,124.23
2020 Total:						-1,124.23
Total Revenues:						-16,671.79
Expenses						
Account Key	Account Name	Category	Total Activity			
HH100711040200028	TREES & LANDSCAPE.HWA ERADICATION	Category - Category	17,547.56			
GL Account Number	GL Account Name	Post Date	Description	Vendor Name	Item Number	Activity
NO GL ACCOUNT		11/18/2019	CGL/Hudson Valley Invoice #201970			3,070.71
HH100.7110.402.00028	PARKS-TREES & LANDSCAPE....	12/31/2019	Onanda HWA Grant Project Sign	ONTARIO COUNTY SIGNS	2015-1879	225.00
2019 Total:						3,295.71
HH100.7110.402.00028	PARKS-TREES & LANDSCAPE....	12/01/2020	Treatment for Trees at Onanda Park	CGL Arbor Services	202054	5,592.05
2020 Total:						5,592.05
HH100.7110.402.00028	PARKS-TREES & LANDSCAPE....	12/20/2021	HWA Eradication Treatments at Onanda Park	CGL Arbor Services	191313	6,634.80
2021 Total:						6,634.80

Project Activity Report

Report Dates: 01/01/2019 - 12/18/2023

GL Account Number	GL Account Name	Post Date	Description	Vendor Name	Item Number	Activity
HH100.7110.402.00028	PARKS-TREES & LANDSCAPE....	10/17/2022	treatment in Barnes Gully for invasive species	CGL Arbor Services	191390	2,250.00
					2022 Total:	2,250.00
HH100.7110.402.00028	PARKS-TREES & LANDSCAPE....	12/18/2023	GL correction for H28 expense			-225.00
					2023 Total:	-225.00
					Total Expenses:	17,547.56
					28 Total:	875.77

Summary

Project Summary

Project Number	Project Name	Total Revenue	Total Expense	Revenue Over/ (Under) Expenses
28	Invasive Species Grant	16,671.79	17,547.56	-875.77
Project Totals:		16,671.79	17,547.56	-875.77

Group Summary

Group	Total Revenue	Total Expense	Revenue Over/ (Under) Expenses
Project focus on environmental impact	16,671.79	17,547.56	-875.77
Group Totals:	16,671.79	17,547.56	-875.77

Type Summary

Type	Total Revenue	Total Expense	Revenue Over/ (Under) Expenses
Multi-year Capital Project	16,671.79	17,547.56	-875.77
Type Totals:	16,671.79	17,547.56	-875.77

ATTACHMENT 8



Town of Canandaigua , NY

Detail Report-JM

Account Summary

Date Range: 01/01/2021 - 12/18/2023

Account	Name	Beginning Balance	Total Activity	Ending Balance
Fund: HH100 - CAPITAL PROJECTS				
HH100.0202.00032	CASH - INVESTMENTS.LGRMIF	0.00	294.76	294.76
HH100.1460.100.00032	RECORDS MGMT.PERSONAL SERVICES.LGRMIF	0.00	5,325.00	5,325.00
HH100.1460.200.00032	RECORDS MGMT.CAPITAL EQUIP.LGRMIF	0.00	1,590.00	1,590.00
HH100.1460.400.00032	RECORDS MGMT.CONT.LGRMIF	0.00	25,156.07	25,156.07
HH100.2401.00032	INTEREST & EARNINGS.LGRMIF	0.00	-51.83	-51.83
HH100.3297.00032	STATE AID - OTHER.LGRMIF	0.00	-32,314.00	-32,314.00
Total Fund: HH100 - CAPITAL PROJECTS:		0.00	0.00	0.00
Grand Totals:		0.00	0.00	0.00

Fund Summary

Fund	Beginning Balance	Total Activity	Ending Balance
HH100 - CAPITAL PROJECTS	0.00	0.00	0.00
Grand Total:	0.00	0.00	0.00

NOTICE OF OVERPAYMENT
FS-80 (01/11)

Grants Finance
NY State Education Department
Room 510W, Education Building
Albany, NY 12234
Phone: (518) 474-4815
E-mail: grantsweb@nysed.gov

Agency Code:	<u>430300-64-0707</u>		
Project #:	<u>0580-22-8977</u>	Contract #	<u>C4</u>
Agency Name:	<u>Town of Canandaigua</u>		
Funding Source:	<u>Local Gov't Records Management</u>		
Contact Person:	<u>Jean Chrisman</u>		

A desk review of the Final Expenditure Report (FS-10-F) for the above referenced project has been completed. Based on this review, an overpayment has been calculated as follows:

1. Amount accepted by review	\$	<u>20,888</u>
2. Payment to date	\$	<u>32,314</u>
3. Overpayment	\$	<u>11,426</u>

☒ Please issue a check in the amount of the overpayment to **"Treasury of the State of New York"** and remit directly to the address noted above. If refunds are due on more than one project, separate checks must be submitted for the amount due on each project. If payment is not received by Grants Finance within **30 days** of the date of this notice, **ALL** subsequent grant and grant contract payments will be held until the overpayment has been remitted. Please return a copy of this notice with the refund check.

☐ A refund check is not required. The overpayment on this project has been transferred to project number _____

If you have any questions concerning the desk review or overpayment procedures, please contact this office.

Joanne Deyette

Reviewer

04/10/23

Date

FOR DEPARTMENT USE ONLY	Fund/Year	Line #	Refund Amount
Refund #:			
Check #:			
Entered:			
Initials:			
Date check sent to accounting:			

APR 13 2023

The University of the State of New York
THE STATE EDUCATION DEPARTMENT
 Grants Finance, Rm. 510W EB
 Albany, New York 12234

FINAL EXPENDITURE REPORT RECEIVED
FEDERAL OR STATE PROJECT
FS-10-F Long Form (03/15)

☐ = Required Field

Local Agency Information

Funding Source: NYSED

Report Prepared By: Jean Chrisman, Town Clerk

Agency Name: Town of Canandaigua

Mailing Address: 5440 Route 5 & 20 West

Street

Canandaigua

NY

14424

City

State

Zip Code

Telephone # of Report Preparer: 585-394-1120

County: Ontario

E-mail Address: jchrisman@townofcanandaigua.org

INSTRUCTIONS

- For State grants, final expenditure reports are generally due within 30 days after the grant's end date. Reports for federal projects are generally due within 90 days after the grant's end date. See the Grant Award Notice to verify the due date. However, the Department program office may impose an earlier due date.
- Agencies should use only the FS-10-F Long Form to report actual project expenditures.
- Agencies must maintain complete and accurate records and may be requested to provide additional detail to support reported expenditures.
- All encumbrances must have taken place within the grant's approved funding dates, which can be found on the FS-10 or FS-20 budget form and on the Grant Award Notice.
- The Chief Administrator's Certification on the Final Summary page must be signed by the agency's Chief Administrative Officer or properly authorized designee.
- Submit one report with original signature and one copy directly to Grants Finance, New York State Education Department, Room 510W EB, Albany, NY 12234.
- For special legislative projects, submit one report with original signature and two copies, along with a final program narrative report.
- For additional information, please refer to Fiscal Guidelines for Federal and State Grants at <http://www.oms.nysed.gov/cafe/guidance/>.

SUPPLIES AND MATERIALS			
Subtotal - Code 45			\$1,590
Purchase Order Date	Vendor	Check or Journal Entry #	Amount Expended
12/6/2022	Amazon - 2 Lenovo ThinkPadd X1 Tablets, Gen 3, 2-in-1 Busienss Laptop, 13'	20472	\$1,590

PURCHASED SERVICES			
Subtotal - Code 40			\$13,730
Encumbrance Date	Provider of Service	Check or Journal Entry #	Amount Expended
12/22/2021	Solara Concepts	19213	\$400
12/31/2021	Solara Concepts	19880	\$560
3/31/2022	Solara Concepts	19880	\$1,920
6/2/2022	Solara Concepts	19745	\$1,760
9/14/2022	Solara Concepts	20416	\$1,600
2/23/2022	NYSID (Instream)	19407	\$1,323
4/19/2022	NYSID (Instream)	19627	\$3,799
6/9/2022	NYSID (Instream)	19857	\$2,368

SALARIES FOR SUPPORT STAFF			
Subtotal - Code 16			\$5,568
Name	Position Title	Beginning and End Dates of Work	Salary Paid
Brandi Langan	Deputy Town Clerk	10/1/2021 - 04-1-2022	\$5,568



Town of Canandaigua , NY

Project Activity Report

By Project Number

Report Dates: 01/01/2021 - 12/18/2023

Project Number	Project Name	Group	Type	Status
32	LGRMIF	Project focus on Administration	Multi-year Capital Project	Project is Active
Revenues				
Account Key	Account Name	Category	Total Activity	
HH100329700032	STATE AID - OTHER.LGRMIF	Category - Category	-32,314.00	
GL Account Number	GL Account Name	Post Date	Description	Activity
NO GL ACCOUNT		11/23/2021	11/03/21 Grant Deposit	-32,314.00
2021 Total:				-32,314.00
Total Revenues:				-32,314.00
Expenses				
Account Key	Account Name	Category	Total Activity	
HH100146010000032	RECORDS MGMT.PERSONAL SERVICES.LGRMIF	Category - Category	5,568.00	
GL Account Number	GL Account Name	Post Date	Description	Activity
NO GL ACCOUNT		12/31/2021	2021 Personeel Expenses	243.00
NO GL ACCOUNT		12/31/2021	2021 Personnel Expenses	2,480.00
NO GL ACCOUNT		12/31/2021	2021 Personnel Expenses	400.00
2021 Total:				3,123.00
HH100.1460.100.00032	RECORDS MGMT.PERSONAL ...	01/26/2022	Cash-Investments Capitol Proj	-438.75
HH100.1460.100.00032	RECORDS MGMT.PERSONAL ...	01/26/2022	Cash-Investments Capitol Proj	438.75
HH100.1460.100.00032	RECORDS MGMT.PERSONAL ...	01/26/2022	Deputy Clerk Grant Personel	438.75
HH100.1460.100.00032	RECORDS MGMT.PERSONAL ...	01/26/2022	Deputy Clerk Grant Personel	-438.75
HH100.1460.100.00032	RECORDS MGMT.PERSONAL ...	01/26/2022	Deputy Clerk Grant Personel	438.75
HH100.1460.100.00032	RECORDS MGMT.PERSONAL ...	02/09/2022	Deputy Clerk Grant Personel	450.00
HH100.1460.100.00032	RECORDS MGMT.PERSONAL ...	02/23/2022	Deputy Clerk Grant Personel	457.50
HH100.1460.100.00032	RECORDS MGMT.PERSONAL ...	03/09/2022	Deputy Clerk Grant Personel	465.00
HH100.1460.100.00032	RECORDS MGMT.PERSONAL ...	03/23/2022	Deputy Clerk Grant Personel	457.50
HH100.1460.100.00032	RECORDS MGMT.PERSONAL ...	04/06/2022	2022-05-05 LF Payroll #7 Correction	176.25
HH100.1460.100.00032	RECORDS MGMT.PERSONAL ...	04/06/2022	Cash-Investments Capitol Proj	-176.25
HH100.1460.100.00032	RECORDS MGMT.PERSONAL ...	04/06/2022	Deputy Clerk Grant Personel	176.25
2022 Total:				2,445.00
HH100146020000032	RECORDS MGMT.CAPITAL EQUIP.LGRMIF	Category - Category	1,590.00	
GL Account Number	GL Account Name	Post Date	Description	Activity
HH100.1460.200.00032	RECORDS MGMT.CAPITAL E...	06/13/2022	Records Mgmt Policy Development	1,760.00
HH100.1460.200.00032	RECORDS MGMT.CAPITAL E...	07/18/2022	Records Mgmt Policy Development	1,920.00
HH100.1460.200.00032	RECORDS MGMT.CAPITAL E...	07/18/2022	Records Mgmt Policy Development	560.00

Project Activity Report

Report Dates: 01/01/2021 - 12/18/2023

GL Account Number	GL Account Name	Post Date	Description	Vendor Name	Item Number	Activity
NO GL ACCOUNT		09/29/2022	GL Correction for Policy Development Charges			-4,240.00
HH100.1460.200.00032	RECORDS MGMT.CAPITAL E...	12/31/2022	2 tablets per LGRMIF Grant	FIRST BANKCARD	2022-12-06	1,590.00
2022 Total:						1,590.00
HH100146040000032	RECORDS MGMT.CONT.LGRMIF	Category - Category				25,156.07
GL Account Number	GL Account Name	Post Date	Description	Vendor Name	Item Number	Activity
HH100.1460.400.00032	RECORDS MGMT.CONT.LGR...	12/31/2021	Records Mgmt Policy Development	Sally S. Howard	2021-134	400.00
2021 Total:						400.00
HH100.1460.400.00032	RECORDS MGMT.CONT.LGR...	03/21/2022	Document Scanning Services	New York State Industries for the..	949318	1,322.75
HH100.1460.400.00032	RECORDS MGMT.CONT.LGR...	05/16/2022	Document Scanning service	New York State Industries for the..	956538	3,799.34
HH100.1460.400.00032	RECORDS MGMT.CONT.LGR...	07/18/2022	Document Scanning	New York State Industries for the..	963209	2,367.98
NO GL ACCOUNT		09/29/2022	GL Correction for Policy Development Charges			4,240.00
HH100.1460.400.00032	RECORDS MGMT.CONT.LGR...	12/19/2022	Records Mgmt Policy Developement	Sally S. Howard	2022-122	1,600.00
HH100.1460.400.00032	RECORDS MGMT.CONT.LGR...	12/31/2022	Extended warranty for tablet	FIRST BANKCARD	2022-12-31 JC	250.13
HH100.1460.400.00032	RECORDS MGMT.CONT.LGR...	12/31/2022	Extended warranty for tablet	FIRST BANKCARD	2022-12-31 JC	276.98
2022 Total:						13,857.18
HH100.1460.400.00032	RECORDS MGMT.CONT.LGR...	05/15/2023	LGMRIFF Notice of Repayment	Treasury of the State of New York	0580-22-8977	11,426.00
HH100.1460.400.00032	RECORDS MGMT.CONT.LGR...	12/18/2023	G/L correction for warranty expense			-527.11
2023 Total:						10,898.89
Total Expenses:						32,314.07
32 Total:						0.07

Summary

Project Summary

Project Number	Project Name	Total Revenue	Total Expense	Revenue Over/ (Under) Expenses
32	LGRMIF	32,314.00	32,314.07	-0.07
Project Totals:		32,314.00	32,314.07	-0.07

Group Summary

Group	Total Revenue	Total Expense	Revenue Over/ (Under) Expenses
Project focus on Administration	32,314.00	32,314.07	-0.07
Group Totals:	32,314.00	32,314.07	-0.07

Type Summary

Type	Total Revenue	Total Expense	Revenue Over/ (Under) Expenses
Multi-year Capital Project	32,314.00	32,314.07	-0.07
Type Totals:	32,314.00	32,314.07	-0.07

ATTACHMENT 9

MEMO

TOWN OF CANANDAIGUA

To: Town Board
From: Town Planner
CC: Planning Board
Date: 12/28/2023
Re: Proposed amendments to Town Code Chapter 220-9.1 Short Term Rentals

COMMENTS: The Town Planner and Code Enforcement Officers have been working with the Ordinance Committee to recommend certain amendments to the Town's short term rental law in order to clarify short term rental regulations, application requirements, application processes. The recommended changes include but are not limited to:

- clarifications to the definition of a bedroom and eliminating "sleeping area" in order to simplify and clarify the review and application process for both property owners and the Development Office and to bring definitions in line with NY State Building code language.
- organizing the language of the code to clarify the requirements for the short term rental permit application. Previous application requirement language was distributed throughout the law and now all application requirements are located in one section within the law.
- Code Enforcement also recommended that language be clarified with regards to requirements for health and safety protection measures including requirements for smoke detectors, fire extinguishers, and other similar language.
- Adding required Planning Board review and approval for all short term rental permit applications for dwellings with six or more bedrooms

All proposed changes are illustrated in the "redline" version of the draft law.

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village

(Select one:)

DRAFT

of Canandaigua

Local Law No. _____ of the year 20²⁴

A local law to amend town code chapter 220-9.1 Short Term Rentals

(Insert Title)

Be it enacted by the Town Board _____ of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village

(Select one:)

of Canandaigua _____ as follows:

See Attachment A

(If additional space is needed, attach pages the same size as this sheet, and number each.)

§ 220-9.1 Short-term rentals.

- A. Purpose. The purpose of this chapter is to regulate the use of property for short-term rentals within the Town. The provisions of this chapter are intended to mitigate any potential adverse effects and impacts of short-term rentals and to ensure such rentals do not create public safety hazards nor become disruptive to the quality of life for surrounding residents or the character of neighborhood where the property is located.
- B. Definitions. For purposes of this § **220-9.1**, the following words and phrases shall have the definitions and meanings set forth below. If any words or phrases are defined elsewhere in this code, the definitions set forth in this § **220-9.1B** shall control for purposes of short-term rentals.

ADJACENT PROPERTIES

- (1) Properties, parcels, lots or units situated near or next to, adjoining, contiguous or abutting the subject property, whether on the same side of the road, across the road or behind the subject property; and
- (2) When the subject property is a building consisting of multiple dwelling unit, such as an apartment building, that is a portion of a building containing multiple units on multiple floors with multiple units on each floor, this shall mean all units on the same floor as the subject property and also those units adjoining directly above or below the subject property.

APPLICATION

The application for a short-term rental permit.

BEDROOM

To be a valid bedroom, the bedroom shall have appropriate requirements as defined by New York State Property Maintenance Code (NYS PMC404).

COMPLETE APPLICATION

An application that has satisfied all of the submittal requirements set forth in this short-term rental ordinance and otherwise complies with all of the criteria required for the issuance of a short-term rental permit.

FLOOR PLAN

A level-by-level sketch of the structure with labeling of all enclosed spaces within the structure and dimensions of each bedroom.

LOCAL CONTACT

The owner or the owner's representative who is the local point of contact for any guest(s) for the duration of the guest(s) stay in the Short-Term Rental.

MAXIMUM OCCUPANCY

The maximum occupancy for each short-term rental unit shall not exceed two (2) people per bedroom. Number of bedrooms must match what is shown on the applicant's floor plan and must be in compliance with information in the Real Property System database.

OWNER

The record titled owner of the residence for which a short-term rental permit is sought or has been issued. The owner may be a person or any form of business entity recognized by the State of New York. If the owner is a form of business entity, the business entity shall maintain current registration with New York State.

PERMIT HOLDER

The owner to whom a short-term rental special use permit has been issued through the Zoning Officer by the Planning Board. The Planning Board reserves the right to revoke the special use permit at any time for any reason including §220.9(I).

PROPERTY MANAGEMENT COMPANY

The owner's agent, including but not limited to rental platform, for renting the property, if any.

PROPERTY or SHORT-TERM RENTAL PROPERTY

All such parcels, residences or dwelling units used for short-term rental purposes. Recreational vehicles, travel trailers, sheds, garages, vehicles, tents, yurts and similar non-permanent structures are prohibited from use as a Short-Term Rental.

SHORT-TERM RENTAL

The rental of a dwelling unit for less than 30 days to a person.

TEMPORARY ACCESS EASEMENT

An easement granted to the owner to cross over the property of another when such access is necessary to provide entry to the property being rented.

TOWN

Town of Canandaigua, New York.

USE WITH CRITERIA

The land use approval process contained in the Town's Municipal Code; provided, however, if there are any conflicts, contradictions, or differences between the process and requirements set out in the Municipal Code and the process and requirements set out in this short-term rental ordinance, the terms and conditions in the short-term rental ordinance shall control.

- C. Permit. To operate as a short-term rental, the property owner or owner's agent shall file an application with the Town of Canandaigua and be granted a special use permit to operate a short-term rental. The Town Board authorizes the Planning Board to grant a special use permit, in all zoning districts, for the operation of a short-term rental special use without the need for a public hearing. The Planning Board may authorize through its rules of procedure a special use permit to be issued by the Zoning Officer when the applicant demonstrates compliance with the requirements for application, §220.9-1 (C), with the following exceptions:

- (1) Special use permit applications to operate a short-term rental in any dwelling unit with six (6) or more bedrooms shall be reviewed and approved by the Planning Board in accordance with §220-35 and the Planning Board Rules of Procedure prior to the issuance of said permit.

- D. Requirements for application. Short-term rentals may be allowed in all zones unless otherwise restricted. The following information and documentation shall accompany the application and be provided to the Town of Canandaigua:

- (1) Completed application.
- (2) Street address for each unit.
- (3) The name, address, and contact information including a twenty-four-hour local contact phone number for the person at the property management company managing the property; or, if there is no property management company, the name, address and contact information, including a twenty-four-hour contact phone number for the property owner or owner's agent, and who may be contacted in the event of an emergency.
- (4) Floor plans for the dwelling with labels for all rooms including bedrooms. Details shown shall be in compliance with the Real Property Systems database.
- (5) Site plan/map of the property showing location of parking.
- (6) Permit applicant shall provide proof of septic system design capacity and provide a copy of the most recent inspection in accordance with Town Code chapter 202 Wastewater Treatment Systems, On-site, if applicable.
- (7) Evidence of Property Insurance and a Certificate of Liability Insurance indicating the premises is rated as a Short-Term Rental and acknowledgement that property owner will maintain such insurance throughout the Term of the Short-Term Rental permit.
- (8) A signed acknowledgement on the application, that the owner, property management company, and/or owner's agent, if any, have read all of the Town's regulations pertaining to the operation of a short-term rental. The owner shall sign the application certifying the accuracy of the information submitted and agreeing to comply with all regulations. If there is a property management company or other agent of the owner managing the short-term rental, the agent or an authorized officer of the property management company, or both, shall also sign the application certifying the accuracy of the information submitted and agreeing to comply with all regulations.
- (9) A signed acknowledgement by the applicant that the premises is in compliance relating to the following information:
 - (A) Smoke alarms shall be installed and maintained in accordance with the New York State Property Maintenance code and New York State Fire Code, as listed below.
 - a. On the ceiling or wall outside and in the immediate vicinity of bedrooms
 - b. In each bedroom.
 - c. In each story within a dwelling unit, including basements (excluding crawl spaces) and uninhabitable attics.
 - d. Smoke alarms shall be tested and maintained in accordance with the manufacturer's instructions. Smoke alarms shall be replaced when they fail to respond to operability tests, or when they exceed 10 years from the date of manufacture, unless an earlier replacement is specified in the manufacturer's published instructions.
 - (B) Carbon monoxide detectors shall be installed and maintained as required by The Uniform Fire Prevention and Building Code of New York State.

- a. Carbon monoxide detection shall be installed outside of sleeping areas within 10 feet of the entrance to bedrooms in dwelling units that contain a fuel-burning appliance.
- (C) Emergency Evacuation Procedures and means of egress must be posted in each bedroom to be followed in the event of a fire or smoke condition or upon the activation of a fire or smoke-detecting or other alarm device.
- (D) Operable fire extinguishers including at least one fire extinguisher on each floor with one additional in the kitchen. Fire extinguishers shall be readily accessible and visible at all times.
- (E) The house number shall be visible from the street or road fronting the property.
- (F) Egress doors shall be operational and readily openable without the need for keys, special knowledge or effort except as allowed by NYS CODE.
- (G) A safe, continuous, and unobstructed path of travel shall be provided from any point in a building or structure to the exterior.
- (H) The property containing the proposed short-term rental must have a minimum of one (1) off-road parking space for every bedroom shown on the floor plan included with the application. The parking spaces must be located on durable surfaces, such as driveways, and cannot be on grassed or landscaped areas.
- (I) The owner must conspicuously post the following signage in a protected mounting in the public corridor, hallway, or lobby of the dwelling for which the permit was issued. This posting shall be in a common entrance. If no common entrance exists, then posting shall be made at the entrance of each dwelling unit.
 - a. the maximum occupancy authorized by the Zoning Officer at time of permit. Notice the maximum occupancy for each short-term rental unit shall not exceed two (2) people per bedroom shown on the applicant's floor plan.
 - b. The posted sign shall state "no events are permitted on the premises resulting in the number of persons on the property greater than the maximum allowable occupancy of the short-term rental unit at any time during the short-term rental."
 - c. A sign in the short-term rental unit providing notice to any tenant the short-term rental is in a residential area in the Town of Canandaigua and that renters should be conscious of the residents in the neighborhood, all renters are subject to New York Penal Law §240.20 or any successor statute regarding disorderly conduct, littering is illegal, and all fires must be attended complying with any applicable burn bans or New York State regulations.
 - d. Address of the unit
 - e. Evacuation procedures to be followed in the event of a fire or smoke condition or upon activation of a fire or smoke detecting or other alarm device.
 - f. Contact numbers for emergency services, Town of Canandaigua and a local contact.
- (J) All applicants and permit holders must provide Evidence of Property Insurance and a Certificate of Liability Insurance indicating the premises is rated as a Short-Term Rental and maintain such insurance throughout the Term of the Short-Term Rental permit.

- (K) The property shall comply with all applicable State and Local fire, building, health and safety laws, and all relevant local ordinances at all times.
- (L) No cooking facilities are permitted in the individual bedrooms or any other rooms where guests can sleep.
- (M) Permanent Exterior signs identifying the property as a Short-Term Rental are prohibited unless permitted separately.
- E. Effective date of permit. The permit shall be issued by the Zoning Inspector or Code Enforcement Officer upon receipt of a completed application as defined in § **220-9.1D**, Requirements for application.
- F. Fees. The application fee shall be set by resolution of the Town Board.
- G. Term of permit. The permit shall be valid for up to three year(s).
- (1) If the permit is not renewed before the expiration date of such permit, it is considered to be suspended until such time the renewal process is complete.
- (2) The owner shall amend the application at any time there is a change in circumstances that would require an update to the information submitted by the owner or property manager.
- H. Transferability. Special use permits issued for a short-term rental property are not transferable.
- I. Operating a short-term rental without a permit. Any person violating the provisions of this chapter by conducting short-term rental(s) without a valid permit shall be in violation of Town Code § 220.
- J. Discovery of an immediate health or life safety hazard. Upon the discovery of an immediate health or life safety hazard, the Code Enforcement Officer can suspend the short-term rental permit until the hazard is remedied.
- K. Grounds for Suspension or Revocation of Permit. Upon evidence of violation(s) of short-term rental usage with this section the Zoning Officer shall notify in writing the Planning Board. After holding a public hearing and providing notice of such hearing to the subject property's owner, the Planning Board may suspend or revoke a short-term rental special use permit. Suspended short-term rental special use permits shall be suspended for a period as deemed reasonable by the Planning Board. Revoked short-term rental special use permits shall be revoked and ineligible for approval for a period of not less than one year from the date of revocation. The Planning Board may suspend a short-term rental special use permit based on any of the following grounds:
- (1) Permit Holder has falsified or failed to provide information in the application for a permit, application for renewal of a permit, registration of the property, or registration of property owner.
- (2) Permit Holder violated any provision of this section during the term of the short-term rental permit.
- (3) Permit Holder or any tenant violated any provisions of the Code of the Town of Canandaigua.
- (4) Permit Holder or any tenant violated any provision of the Penal Code of the State of New York, which violation occurred on, or pursuant to the occupancy of the short-term rental unit.
- (5) Any conduct on the premises, which is unreasonable under the circumstances, and which disturbs the health, safety, peace or comfort of the neighborhood or which otherwise creates a public nuisance.

- (6) Any conduct on the premises, which otherwise is not a permitted use in the zoning district.
- (7) Any conduct on the premises, involving parties or events or loud noises or when such activities result in two or more complaints from adjacent property owners relating to such activities.
- (8) Removal or disrepair of any safety devices such as, but not limited to, smoke and carbon monoxide detectors, fire extinguishers and egresses.
- (9) Permit Holder has failed to provide accommodations and access to the subject property for inspection, as may be required, by the Zoning Officer or Code Enforcement Officer of the Town.
- (10) Permit Holder or any tenants have exceeded the maximum occupancy limit of two (2) people per bedroom shown on the floor plan included with the application.
- (11) Permit Holder has allowed for occupancy greater than the capabilities of the on-site wastewater system, if applicable.
- (12) Permit Holder has not provided proof of pumping and satisfactory inspection of the on-site wastewater system, if applicable, by a qualified septic disposal firm within sixty days of request by Code Enforcement; or has violated Town of Canandaigua Code §202 Wastewater Treatment Systems, On-Site.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

DRAFT

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20²⁴ of the (County)(City)(Town)(Village) of Canandaigua was duly passed by the Town Board _____ on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*)
on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. Such local (Elective Chief Executive Officer*)
law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

(Seal)

Date: _____

§ 220-9.1 **Short-term rentals.**

A. ~~A. Purpose.~~ The purpose of this chapter is to regulate the use of property for short-term rentals within the Town. The provisions of this chapter are intended to mitigate any potential adverse effects and impacts of short-term rentals and to ensure such rentals do not create public safety hazards nor become disruptive to the quality of life for surrounding residents or the character of neighborhood where the property is located.

B. Definitions. For purposes of this § 220-9.1, the following words and phrases shall have the definitions and meanings set forth below. If any words or phrases are defined elsewhere in this code, the definitions set forth in this § 220-9.1A shall control for purposes of short-term rentals.

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ADJACENT PROPERTIES

- (1) Properties, parcels, lots or units situated near or next to, adjoining, contiguous or abutting the subject property, whether on the same side of the road, across the road or behind the subject property; and
- (2) When the subject property is a building consisting of multiple dwelling unit, such as an apartment building, that is a portion of a building containing multiple units on multiple floors with multiple units on each floor, this shall mean all units on the same floor as the subject property and also those units adjoining directly above or below the subject property.

APPLICATION

The application for a short-term rental permit.

BEDROOM

See "Sleeping Area" and ~~T~~ to be a valid bedroom, the bedroom shall have appropriate requirements as defined by ~~NYS building code~~ [New York State Property Maintenance Code \(NYS PMC404\)](#).

COMPLETE APPLICATION

An application that has satisfied all of the submittal requirements set forth in this short-term rental ordinance and otherwise complies with all of the criteria required for the issuance of a short-term rental permit.

FLOOR PLAN

A level-by-level ~~sketch plan~~ of the ~~property structure~~ with labeling of all enclosed spaces within the structure and dimensions of each ~~sleeping area~~ bedroom.

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LOCAL CONTACT

The owner or the owner's representative who is the ~~local~~ point of contact for any guest(s) for the duration of the guest(s) stay in the Short-Term Rental.

MAXIMUM OCCUPANCY

~~a.~~ The maximum occupancy for each short-term rental unit shall not exceed two (2)

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people per bedroom. Number of bedrooms must match what is shown on the applicant's floor plan and must be in compliance with information in the Real Property System database.

OWNER

The record titled owner of the residence for which a short-term rental permit is sought or has been issued. The owner may be a person or any form of business entity recognized by the State of New York. If the owner is a form of business entity, the business entity shall maintain current registration with New York State.

PERMIT HOLDER

The owner to whom a short-term rental special use permit has been issued through the Zoning Officer by the Planning Board. The Planning Board reserves the right to revoke the special use permit at any time for any reason including §220.9(I).

PROPERTY MANAGEMENT COMPANY

The owner's agent, including but not limited to rental platform, for renting the property, if any.

PROPERTY or SHORT-TERM RENTAL PROPERTY

All such parcels, residences or dwelling units used for short-term rental purposes. Mobile homes, Recreational vehicles, ~~Vs, travel trailers, yards, sheds, garages, vehicles, tents, yurts and similar~~ non-permanent structures are prohibited from use as a Short-Term Rental.

SHORT-TERM RENTAL

The rental of a dwelling unit for less than 30 days to a person.

SLEEPING AREA

~~Any room that has a bed, bunk beds, daybed, or other furniture for sleeping, including, and without limitation, pull-out couch or futon or any area advertised for sleeping. To be a valid sleeping area the sleeping area shall have appropriate requirements as defined by NYS building code.~~

Commented [SR1]: For Ordinance Committee: Sleeping area should be removed. NYS code doesn't define it and it causes confusion for applicants when applying and for staff when reviewing. Permits are reviewed based on number of bedrooms and sleeping areas are NOT bedrooms.

TEMPORARY ACCESS EASEMENT

An easement granted to the owner to cross over the property of another when such access is necessary to provide entry to the property being rented.

Commented [MM2]: Sleeping area is not a truly well defined term in NYS Code.

TOWN

Town of Canandaigua, New York.

USE WITH CRITERIA

The land use approval process contained in the Town's Municipal Code; provided, however, if there are any conflicts, contradictions, or differences between the process and requirements set out in the Municipal Code and the process and requirements set out in this short-term rental ordinance, the terms and conditions in the short-term rental ordinance shall control.

CB. Permit. To operate as a short-term rental, the property owner or owner's agent shall file an application with the Town of Canandaigua and be granted a special use permit to operate a short-

term rental. The Town Board authorizes the Planning Board to grant a special use permit, in all zoning districts, for the operation of a short-term rental special use without the need for a public hearing. The Planning Board may authorize through its rules of procedure a special use permit to be issued by the Zoning Officer when the applicant demonstrates compliance with the requirements for application, §220.9-1 (C), with the following exceptions:-

(1) Special use permit applications to operate a short-term rental in any dwelling unit with six (6) or more bedrooms shall be reviewed and approved by the Planning Board in accordance with §220-35 and the Planning Board Rules of Procedure prior to the issuance of said permit.

~~C.D.~~ Requirements for application. Short-term rentals may be allowed in all zones unless otherwise restricted. The following information and documentation shall accompany the application and be provided to the Town of Canandaigua:

(1) Completed application.

~~(1)~~(2) Street address for each unit.

(3) The name, address, and contact information including a twenty-four-hour ~~local~~ contact phone number for the person at the property management company managing the property; or, if there is no property management company, the name, address and contact information, including a twenty-four-hour contact phone number ~~for the property owner or who may be the owner or~~ owner's agent, and who may be contacted in the event of an emergency.

(4) Floor plans for the dwelling with labels for all rooms including bedrooms. Details shown shall be in compliance with the Real Property Systems database.

(5) Site plan/map of the property showing location of parking.

(6) Permit applicant shall provide proof of septic system design capacity and provide a copy of the most recent inspection in accordance with town code chapter 202 ~~Wastewater Treatment Systems, On-site, if applicable.~~

(7) Evidence of Property Insurance and a Certificate of Liability Insurance indicating the premises is rated as a Short-Term Rental and acknowledgement that property owner will maintain such insurance throughout the Term of the Short-Term Rental permit.

~~(2)~~(8) A signed acknowledgement on the application, that the owner, property management company, and/or owner's agent, if any, have read all of the Town's regulations pertaining to the operation of a short-term rental. The owner shall sign the application certifying the accuracy of the information submitted and agreeing to comply with all regulations. If there is a property management company or other agent of the owner managing the short-term rental, the agent or an authorized officer of the property management company, or both, shall also sign the application certifying the accuracy of the information submitted and agreeing to comply with all regulations.

~~(3)~~(9) A signed acknowledgement by the applicant ~~that~~ the premises ~~has the following information posted or~~ is in compliance ~~at the property~~ relating to the following information:

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Commented [SR3]: Not sure we want to be reviewing septic designs. Can we instead request a copy of a recent (within the last 3 or 5 years) septic inspection?

Commented [MM4R3]: Only problem with that is the OTN do not require the inspector to verify the number of bedrooms.

(A) Smoke alarms shall be installed and maintained in accordance with the New York State Property Maintenance code and New York State Fire Code, as listed below.

- a. On the ceiling or wall outside and in the immediate vicinity of bedrooms
- b. In each bedroom.
- c. In each story within a dwelling unit, including basements (excluding crawl spaces) and uninhabitable attics.
- d. Smoke alarms shall be tested and maintained in accordance with the manufacturer's instructions. Smoke alarms shall be replaced when they fail to respond to operability tests, or when they exceed 10 years from the date of manufacture, unless an earlier replacement is specified in the manufacturer's published instructions.

(B) Carbon monoxide detectors shall be installed and maintained as required by The Uniform Fire Prevention and Building Code of New York State.

- a. Carbon monoxide detection shall be installed outside of sleeping areas and within 10 feet of the entrance to bedrooms in dwelling units that contain a fuel-burning appliance.

~~(A)~~ Smoke Detectors including not less than one working smoke detector in each sleeping area. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms and one additional smoke detector on each floor. Smoke Detectors. Carbon monoxide detectors shall be installed as required by the New York State Uniform Fire Prevention and Building Code. Smoke detectors and Carbon monoxide detectors shall be maintained in accordance with the New York State Uniform Fire Prevention and Building Code.

~~(B)(C)~~ Emergency Evacuation Procedures and means of egress must be posted in each sleeping area bedroom to be followed in the event of a fire or smoke condition or upon the activation of a fire or smoke-detecting or other alarm device.

~~(C)(D)~~ Operable fire extinguishers including at least one operable fire extinguisher on each floor with and one additional in the kitchen. Fire extinguishers shall be readily accessible and visible at all times.

~~(D)(E)~~ The house number shall be visible from the street or road fronting the property. located both at the end of the driveway and in the dwelling unit in a visible location where tenants will notice the address.

~~(F)~~ Exterior Egress doors shall be operational and readily openable without the need for keys, special knowledge or effort except as allowed by NYS CODE. and all passageway to exterior doors shall be clear and unobstructed.

~~(E)(G)~~ A safe, continuous, and unobstructed path of travel shall be provided from any

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point in a building or structure to the exterior.

(H) The property containing the proposed short-term rental must have a minimum of one (1) off-road parking space for every bedroom shown on the floor plan included with the application. The parking spaces must be located on durable surfaces, ~~likesuch as~~ -driveways, and cannot be on grassed or landscaped areas.

~~(F)~~(I) The owner must conspicuously post the following signage in a protected mounting in the public corridor, hallway, or lobby of the dwelling for which the permit was issued. This posting shall be in a common entrance. If no common entrance exists, then posting shall be made at the entrance of each dwelling unit.

a. A sign indicating ~~Ttethe~~ the maximum occupancy authorized by the Zoning Officer at time of permit. Notice the maximum occupancy for each short-term rental unit shall not exceed two (2) people per bedroom shown on the applicant's floor plan.

~~a.b.~~ The posted sign shall state "no events are permitted on the premises resulting in the number of persons on the property greater than the maximum allowable occupancy of the short-term rental unit at any time during the short-term rental."

c. A sign in the short-term rental unit providing notice to any tenant the short-term rental is in a residential area in the Town of Canandaigua and that renters should be conscious of the residents in the neighborhood, all renters are subject to New York Penal Law §240.20 or any successor statute regarding disorderly conduct, littering is illegal, and all fires must be attended complying with any applicable burn bans or New York State regulations.

d. Address of the unit

e. Evacuation procedures to be followed in the event of a fire or smoke condition or upon activation of a fire or smoke detecting or other alarm device.

~~b.f.~~ Contact numbers for emergency services, Town of Canandaigua ~~Development Office~~ and a local contact.

~~(G)~~(J) All applicants and permit holders must provide ~~Evidence of Property Insurance~~² and a ~~Certificate of Liability Insurance~~² indicating the premises is rated as a Short-Term Rental and maintain such insurance throughout the Term of the Short-Term Rental permit.

(K) ~~Property must comply with recent edition of the NYS Property Maintenance Code. The property shall comply with all applicable State and Local fire, building, health and safety laws, and all relevant local ordinances at all times.~~

(L) No cooking facilities are permitted in the individual bedrooms or any other rooms where guests can sleep.

~~(H)~~(M) Permanent Exterior signs identifying the property as a Short-Term Rental are prohibited unless permitted separately.

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Commented [SR5]: According to our own insurance company (Chris Hubler) this is not always required. He has been reviewing policies that we receive from applicants and stating whether they have the necessary coverage. The certificate is above and beyond, according to Chris. I would rather this be more loosely defined. Perhaps we require that they provide proof of property insurance that demonstrates coverage as a rental property. Or something similar.

~~D~~E. Effective date of permit. The permit shall be issued by the Zoning Inspector or Code Enforcement Officer upon receipt of a completed application as defined in § 220-9.1~~D~~E, Requirements for application.

~~F~~F. Fees. The application fee shall be set by resolution of the Town Board.

~~F~~G. Term of permit. The permit shall be valid for up to three year(s).

- (1) If the permit is not renewed before the expiration date of such permit, it is considered to be suspended until such time the renewal process is complete.
- (2) The owner shall amend the application at any time there is a change in circumstances that would require an update to the information submitted by the owner or property manager.

~~G~~H. Transferability. Special use permits issued for a short-term rental property are not transferable.

~~H~~I. I. Operating a short-term rental without a permit. Any person violating the provisions of this chapter by conducting short-term rental(s) without a valid permit shall be in violation of Town Code § 220.

~~H~~J. Discovery of an immediate health or life safety hazard. Upon the discovery of an immediate health or life safety hazard ~~to renters~~, the Code Enforcement Officer can suspend the short-term rental permit until the hazard is remedied.

~~K~~. Grounds for Suspension or Revocation of Permit. Upon evidence of violation(s) of short-term rental usage with this section the Zoning Officer shall notify in writing the Planning Board. After holding a public hearing and providing notice of such hearing to the subject property's owner, the Planning Board may suspend or revoke a short-term rental special use permit. Suspended short-term rental special use permits shall be suspended for a period as deemed reasonable by the Planning Board. Revoked short-term rental special use permits shall be revoked and ineligible for approval for a period of not less than one year from the date of revocation. The Planning Board may suspend a short-term rental special use permit based on any of the following grounds:

- (1) Permit Holder has falsified or failed to provide information in the application for a permit, application for renewal of a permit, registration of the property, or registration of property owner.
- (2) Permit Holder violated any provision of this section during the term of the short-term rental permit.
- (3) Permit Holder or any tenant violated any provisions of the Code of the Town of Canandaigua.
- (4) Permit Holder or any tenant violated any provision of the Penal Code of the State of New York, which violation occurred on, or pursuant to the occupancy of the short-term rental unit.
- (5) Any conduct on the premises, which is unreasonable under the circumstances, and which disturbs the health, safety, peace or comfort of the neighborhood or which otherwise creates a public nuisance.

Commented [SR6]: The ordinance committee does not support the permits being transferred when a property is sold. They prefer that a new owner be required to obtain a new permit. This was unanimous.

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- (6) Any conduct on the premises, which otherwise is not a permitted use in the zoning district.
- (7) Any conduct on the premises, involving parties or events or loud noises or when such activities result in two or more complaints from adjacent property owners relating to such activities.
- (8) Removal or disrepair of any safety devices such as, but not limited to, smoke and carbon monoxide detectors, fire extinguishers and egresses.
- (9) Permit Holder has failed to provide accommodations and access to the subject property for inspection, as may be required, by the Zoning Officer or Code Enforcement Officer of the Town.
- (10) Permit Holder or any tenants have exceeded the maximum occupancy limit of two (2) people per bedroom shown on the floor plan included with the application.
- (11) Permit Holder has allowed for occupancy greater than the capabilities of the on-site wastewater system, if applicable.
- (12) Permit Holder has not provided proof of pumping and satisfactory inspection of the on-site wastewater system, if applicable, by a qualified septic disposal firm within sixty days of request by Code Enforcement; or has violated Town of Canandaigua Code §202 Wastewater Treatment Systems, On-Site.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Town Board, Town of Canandaigua			
Name of Action or Project: Amend Town Code Chapter 220-9.1 Short Term Rentals			
Project Location (describe, and attach a location map): Town of Canandaigua			
Brief Description of Proposed Action: The Town Board is considering the adoption of a Local Law to Amend Town Code Chapter 220-9.1 Short-term rentals.			
Name of Applicant or Sponsor: Town of Canandaigua Town Board		Telephone: 585-394-1120	
		E-Mail: sreynolds@townofcanandaigua.org	
Address: 5440 Rte 5 & 20 West			
City/PO: Canandaigua		State: NY	Zip Code: 14424
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <div style="margin-left: 20px;"> a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? </div> If Yes, briefly describe: <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div>	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div>	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div>	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 1.2em; margin-top: 5px;"></div>	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor/name: <u>Town Board, Town of Canandaigua</u> Date: _____</p> <p>Signature: _____ Title: _____</p>		

**State Environmental Quality Review
LEAD AGENCY COORDINATION REQUEST**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8
(State Environmental Quality Review Act) of the Environmental Conservation Law

**The Canandaigua Town Board seeks Lead Agency Status for the
environmental review for the action described below:**

Project Number

Name of Action: Uptown Form Based Code Document

Location: 5440 Route 5 & 20 West Canandaigua, NY 14424

Description of the Action:

Adoption of a Local Law to Amend Town Code Chapter 220-9.1 Short-term rentals

_____ This agency has no objection to the **Canandaigua Town Board** assuming Lead
Agency Status for this action

_____ This Agency will seek Lead Agency Status

Print or Type Name of Responsible Officer

Signature of Responsible Officer

Please return to:

Town of Canandaigua, Town Clerk
5440 Route 5 & 20 West
Canandaigua, NY 14424

If no response is received within 30 calendar days from the date of this authorization by the
Canandaigua Town Board (February 7, 2024), the Canandaigua Town Board will assume Lead
Agency in accordance to 6 NYCRR Part 617.



Planning Board

Municipality and Referring Agency Town of Canandaigua Town Board

Referring Official (name, title) Sarah Reynolds, Town Planner

Applicant (name & address) _____

Email _____

Property Owner (name & address) Town Board, Town of Canandaigua

5440 Route 5 & 20 West, Canandaigua, NY 14424

Email info@townofcanandaigua.org

Other Agent or Representative (Attorney, Architect, etc) (name & address) _____

Sarah Reynolds, Town Planner

Email sreynolds@townofcanandaigua.org

Property Information:

Tax Map Parcel #'s n/a

Zoning n/a

Utilities:

Sewer ☐ Public
☐ Private

Water ☐ Public
☐ Private

Drainage ☐ Public
☐ Private

Application Type

Sections of Local Code(s) that apply to this application

Area Variance ☐

Use Variance ☐

Special Use Permit ☐

Site Plan ☐

Subdivision ☐

Text Amendment ☒

Map Amendment ☐

Other ☐

Town Code Chapter 220-9.1 Short Term Rentals, amendment to clarify definitions
and process

Certification: *With the following signature I certify that this application provides a complete description of the proposed local action and is a complete application pursuant to NYS General Municipal Law Article 12b, Section 239-m, part c.*

Sarah Reynolds 12/28/2023, Referring Official



Provision of required information is the responsibility of the applicant and referring agency. Failure to provide such information may result in a significant delay in processing.

ATTACHMENT 10



LAW OFFICES OF
CHRISTIAN M. NADLER

****Privileged and Confidential****

TO: Town of Canandaigua Town Board

FROM: Chris Nadler, Town Attorney

DATE: December 19, 2023

RE: Adoption of Local Law # 9 of 2022 (amending Town Code to allow incentive zoning in all districts)

On December 14, 2023 Town Planner Sarah Reynolds received an email from Ontario County Planning Board indicating that they have no record of the above-referenced local law being referred to them as required by NYS General Municipal Law § 239-m, and requesting that the Town see if we have any such record. To date, no record of a referral has been located.

The Town Board adopted Resolution # 2022-273 on November 21, 2022 which issued a SEQR negative declaration and adopted Local Law # 9 of 2022. The Local Law was filed at the NYS Secretary of State's Office on December 2, 2022, and is now Town Code § 220-31, and allows incentive zoning in all districts.

My understanding of the law is that failure to make a County Planning Board referral on a zoning amendment is a jurisdictional defect. As a jurisdictional defect, any challenge to the local law would not be made by an Article 78 lawsuit, but rather a lawsuit seeking a declaratory judgment. This procedural difference is significant because an Article 78 lawsuit has a four month statute of limitations, and a declaratory judgment lawsuit has a six year statute of limitations.

I have looked through all OCPB meeting minutes for 2022 and the second half of 2021 but did not see any mention of what eventually became Local Law # 9. Unfortunately, I only saw on zoning text amendment on OCPB's agendas during 2022, which I believe became Local Law # 8 of 2022. This leaves Local Law # 6 of 2022 (creating the Agricultural Protection Overlay District) and Local Law # 10 of 2022 (creating the Scenic Viewshed Overlay District) also vulnerable to challenge as jurisdictionally defective for the next 4+ years.

At this point I think we need to consider re-adopting each of the local laws described in the preceding paragraph. This will involve referral to OCPB, public hearings, and new local laws adopted with new resolutions. Unless instructed otherwise I will work with

Town Staff to get these 3 local laws on your January agenda to set 3 public hearings at your February Town Board meeting. Depending on when the referral to OCPB is made, you may be able to re-adopt the 3 local laws at your February Town Board meeting.

Please call me if you have any questions or if you would like to discuss this situation.

NADLER.

MEMO FOR ORDINANCE/TOWN BOARD

MAY 6, 2022

Re: Proposed Local Law (amendment to Incentive Zoning) §220-31

PURPOSE

The Town Board has the authority to rezone parcels in the Town of Canandaigua when the current zoning limits potential use either as identified by the owner of the parcel or the Town of Canandaigua.

The Incentive Zoning District, which specifically allows the Town Board to rezone a parcel to Incentive Zoning when the Town Board determines a benefit exists for the rezoning; however, it as it is currently regulated by Town Code is limited for use to the following zoning districts: R-1-30, R-1-20, MR, NC, CC, RB-1, LI, and I.

R-1-30:	Residential Single Family District
R-1-20:	Residential Single Family District
MR:	Multiple Residential District
NC:	Neighborhood Commercial District
CC:	Community Commercial District
RB-1:	Restricted Business District
LI:	Limited Industrial District
I:	Industrial District

The Town of Canandaigua has grown since the Incentive Zoning District was last updated and now includes zoning districts like SCR-1, RLD, Form Based Code, Mixed Use, and other zoning districts not listed in the Town Code currently as applicable to Incentive Zoning.

This proposal would allow the Town Board to amend the Town Code to enable the Town Board to utilize Incentive Zoning in any Town of Canandaigua zoning district, and would further define applicable options for cash payment in lieu if the Town Board determines such a payment is applicable.

STATE OF NEW YORK
DEPARTMENT OF STATE

ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
[HTTPS://DOS.NY.GOV](https://dos.ny.gov)

KATHY HOCHUL
GOVERNOR

ROBERT J. RODRIGUEZ
SECRETARY OF STATE

December 7, 2022

CANANDAIGUA TOWN CLERK

DEC 12 2022

RECEIVED

Town of Canandaigua
5440 Routes 5 & 20 West
Canandaigua, NY 14424

RE: Town of Canandaigua, Local Law 9 & 10 2022, filed on 12/2/2022

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492

✓ LL#9 - Amend Sect 220-31
Incentive Zoning
LL#10 - Amend Sect 220-33 Scenic
Viewshed Overlay



**Department
of State**

Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

(585) 394-1120

Fax: (585) 394-9476

Established 1791

November 29, 2022

NYS Department of State
Division of Corporations, State Records and
Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, New York 12231

RE: Filing of Local Laws 9 and 10 of 2022

To Whom It May Concern:

Enclosed is a certified original of Local Laws 9 and 10 of 2022 that were adopted by the Canandaigua Town Board on Monday, October 21, 2022:

- ✓ LL 9 of 2022: Amendments to Chapter 220 (Zoning) Section 220-31 Incentive Zoning District
- LL 10 of 2022: Amendments to Chapter 220 (Zoning) Section 220-33 Scenic Viewshed Overlay District

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Jean Chrisman
Town Clerk

Encs.

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of Canandaigua

Local Law No. 9 of the year 2022

A local law Amendments to Chapter 220 (Zoning) Section 220-31 Incentive Zoning District
(Insert Title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of Canandaigua as follows:

See Attachment A

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Attachment A
Local Law 9 of 2022

§ 220-31 Incentive Zoning District.

- A. Intent. The Town Board finds that in addition to existing powers and authorities to regulate by planning and zoning, including authorization to provide for the granting of incentives or bonuses pursuant to other enabling law, the Town Board is hereby empowered, as part of Chapter 220 of the Town Code, to provide for a system of zoning incentives, or bonuses, as the Town Board deems necessary and appropriate consistent with the purposes and conditions set forth in this section.
- B. Purpose. The purpose of these regulations of incentive, or bonus, zoning shall be to advance the Town's specific physical, cultural and social policies in accordance with the Town's Comprehensive Plan and in coordination with other community planning mechanisms or land use techniques. The system of zoning incentives or bonuses shall be in accordance with the meaning of § 261-b of Article 16 of the New York Town Law, as may be amended from time to time.
- C. Authority. This authority may be used by the Town Board to assist in implementing the following planning objectives:
- (1) To protect highly valued ecological resources, geological features and environmentally sensitive areas.
 - (2) To protect active farmland operations.
 - (3) To preserve greenways and important open spaces, and provide access to trail corridors.
 - (4) To preserve historic and/or archaeological resources.
 - (5) To protect high-quality scenic resources.
 - (6) To secure important public works improvements which would not otherwise be provided to planned development areas of the community and which are in excess of that necessitated by immediate project demand.
 - (7) To provide a more desirable environment than what would be possible throughout the strict application of existing zoning regulations.
- D. Districts designated for incentives. The Town Board shall have the authority to designate incentives in all zoning districts of the Town of Canandaigua.
- E. Permitted incentives. The Town Board may grant the following specific incentives:
- (1) Increase in dwelling unit density for a site.
 - (2) Changes in lot area and dimensional requirements.
 - (3) Changes of use.
- F. Community benefits or amenities. The following community benefits or amenities may, at the discretion of the Town Board, be accepted in exchange for an incentive identified in

Subsection E above. These community benefits may be either on or off the site of the subject application, may involve one or more parcels of land and may be situated in any district, unless otherwise specifically limited in this section and will be in addition to any mandated requirements pursuant to other provisions of the Town of Canandaigua Code and any other applicable law or regulation.

- (1) Agricultural conservation, open space, scenic, ecological, historic or other permanent conservation easements.
- (2) Donation of land in fee simple for either conservation or community benefit purposes.
- (3) Construction of recreation amenities, serving a Town-wide need, accessible to the general public, above and beyond that required elsewhere in the Town Code.
- (4) Construction or improvement to public work facilities which are above and beyond that required to mitigate proposed impacts in accordance with the Town Code and the State Environmental Quality Review (SEQR) regulations.
- (5) Preservation and improvement of historical or cultural sites or structures.
- (6) Provision of shared driveways, cross-access easements or access and service streets, internal circulation systems or interconnected parking.
- (7) Other facilities or benefits to the residents of the community, as determined by the Town Board.
- (8) Any other combination of the above-listed community benefits or amenities.

G. Criteria for approval. Applications for incentives in exchange for amenities shall be submitted in writing to the Town Board. In order to preliminarily evaluate the adequacy of amenities to be accepted in exchange for the requested incentive, the following information shall be provided by the applicant:

- (1) A sketch plan of the proposed amenity.
- (2) The value of the proposed amenity.
- (3) Narrative.
 - (a) A narrative which:
 - [1] Describes the benefits to be provided to the community by the proposed amenity.
 - [2] Provides preliminary indication that there are adequate sanitary sewers, water, transportation, waste disposal and fire protection facilities within the existing zoning district which the proposal is located in order to accommodate additional demands, if any.
 - [3] Explains how the proposed amenity promotes implementation of physical, environmental or cultural policies articulated in proposed plans.
 - [4] Describes the requested incentive and its value.
 - [5] Describes the manner in which any common areas are to be owned and maintained, including open space, streets, lighting and other considerations relevant to the proposal.
 - [6] Describes any covenants, grants of easement or other restrictions proposed to be imposed upon the use of the land, buildings or structures, including proposed easements for public utilities.

- (b) The Town Board, in its discretion, may waive any or all of the above listed submission requirements.

H. Initial review and consideration. All applications for incentive zoning shall commence with a written proposal to the Town Board which sets forth the criteria listed in Subsection G above. The Town Board shall review the proposal and inform the applicant whether or not the proposal is worthy of further consideration.

(1) Sketch plan requirements.

- (a) The sketch plan shall show how the site will be developed, with the amenity, if it is on-site, and the incentive being requested. In addition to meeting the requirements of the applicable sections of the Town Code, the plan shall also meet the requirements of Article VII, Site Plan Regulations, §§ 220-64 through 220-72, and/or Chapter 174, Subdivision of Land, and show existing development, property owners' names and tax account numbers for all property within 200 feet of the property lines of the proposed project or such other distance as may be specified by the Town Board.
- (b) If the incentive will result in a structural height increase, the applicant shall submit an elevation drawing, at a scale of 1/4 inch equals one foot, which shows the height permitted by district regulations, the proposed additional height, the distance to other principal structures on site and on adjacent properties and their heights, as well as property line locations.
- (c) If the incentive will result in a setback or open space reduction, the drawing shall show this reduction in relation to the principal structure on site and on adjacent properties, as well as property lines.
- (d) The Town Board, in its discretion, may waive any or all of the above-listed sketch plan requirements. Notwithstanding any such waiver granted by the Town Board relative to the sketch plan required for the incentive zoning application, all site plan requirements shall remain in full force and effect relative to any required Planning Board approvals.

- (2) The applicant shall also submit such additional information and plans as may be required by the Town Board, which, in its judgment, are necessary in order to perform a thorough evaluation of the proposal.

I. Planning Board review. The Planning Board will review the proposal and report to the Town Board with its evaluation of the adequacy with which the amenity(ies)/incentive(s) fit the site and how they relate to adjacent uses and structures. The Planning Board's review shall be limited to the impact of the proposed incentive zoning on the planning design and layout of the project unless otherwise requested by the Town Board. The Planning Board's report shall be submitted to the Town Board within 45 days from the date of the Planning Board meeting at which the proposal is first placed on the agenda. This time period may be extended by the Town Board.

- J. Town Board decision after public hearing. The Town Board, upon its receipt of the Planning Board's report, will review the document and then notify the applicant as to whether or not it is willing to further consider the proposal and hold a public hearing thereon. If the Town Board decides to further consider the proposal, it shall hold a public hearing thereon. For Town Board public hearings on incentive zoning requests, the Town Clerk shall give notice of the hearing in the official newspaper of the Town at least five days prior to the date of the hearing.
- K. SEQR compliance and verification. All applicable requirements of the State Environmental Quality Review (SEQR) regulations shall be complied with as part of the review and hearing process. The assessment shall include verification that the zoning district in which the proposal is to be located has adequate sewer, water, transportation, waste disposal and fire protection facilities to serve the on-site amenity and incentive.
- L. Costs. Any applicant for incentives or bonuses shall pay the cost of preparing any environmental impact statement required by the Town Board, this chapter, Town Law § 261-b, as amended, or 6 NYCRR Part 617, as amended, and such charge shall be added to any site-specific charge made pursuant to the provisions of § 8-0109 of the Environmental Conservation Law.
- M. Coordination with other governmental agencies. The Town Board shall, before taking action, refer, where appropriate, the application to the Ontario County Planning Board for review and recommendation under the provisions of §§ 239-l and 239-m of the New York State General Municipal Law. Where said rezoning application affects property located within 500 feet of a municipal boundary, the Town Clerk shall provide notice of said action to the Clerk of the adjacent municipality. Following the hearings and in addition to compliance with all SEQR requirements, the Town Board shall, before taking action, refer the proposal for review and comment to other governmental agencies as may be required and may refer the proposal to the Planning Board and other Town Boards and officials for review and comment. In order to approve an amenity/incentive proposal, the Town Board shall determine that the proposed amenity provides sufficient public benefit to provide the requested incentive. The Town Board shall, as part of their conditional approval, specify the amenity being provided, along with a detailed description of the incentive(s) being provided. Thereafter, the Town Board is authorized to act on an application for preliminary approval as provided for elsewhere in this section. In no circumstances may the Town Board be compelled to approve any incentive zoning proposal, such act being an absolutely discretionary legislative act. The Town Board may also impose such conditions upon its approval as it may deem appropriate to promote the health, safety and welfare of the community. Following approval of the incentive zoning by the Town Board and subject to meeting all conditions imposed on the preliminary plan, including all documentation required by the Town Attorney, Town Highway and Water Superintendent, Town Water and Sewer Superintendent, Town Code Enforcement Officer, Town Zoning Officer, Town Planner and the Fire Chief of either the City of Canandaigua Fire Department or the Fire

Chief of the Cheshire Volunteer Fire Department on the amenity, the applicant may submit a site plan for review and approval by the Planning Board subject to all other requirements of the Town Code.

- N. Notation on official Zoning Map. Upon final plan approval, the Town Clerk shall affix a reference to the Official Zoning Map that the development of this site was approved under the Town's incentive zoning provisions and include a reference to the date such action was taken.
- O. Cash payment in lieu of amenity. If the Town Board finds that a community benefit is not suitable on site or cannot be reasonably provided, the Town Board may require a cash payment in lieu of the provisions of the amenity. These funds shall be placed in a fund or capital project at the discretion of the Town Board to be used by the Town Board exclusively for amenities specified prior to acceptance of funds. Cash payments shall be made prior to the issuance of a building permit. Cash payments in lieu of amenities are not to be used to pay general and ordinary Town expenses. Cash payments may be directed to existing reserve funds, capital projects, other funds; or funds or projects to be created by the Town Board.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 9 of 2022 of the ~~(County)(City)(Town)(Village)~~ of Canandaigua was duly passed by the Town Board on November 21 2022, in accordance with the applicable ~~(Name of Legislative Body)~~ provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) ~~(Name of Legislative Body)~~ (repassed after disapproval) by the _____ and was deemed duly adopted ~~(Elective Chief Executive Officer*)~~ on _____ 2022, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) ~~(Name of Legislative Body)~~ (repassed after disapproval) by the _____ on _____ 20____. ~~(Elective Chief Executive Officer*)~~

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) ~~(Name of Legislative Body)~~ (repassed after disapproval) by the _____ on _____ 20____. Such local ~~(Elective Chief Executive Officer*)~~ law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

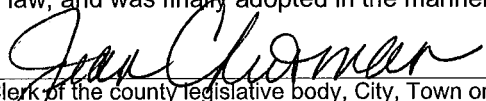
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

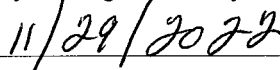
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.


Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

Date: _____



(Seal)

Short Environmental Assessment Form

Part 1 - Project Information

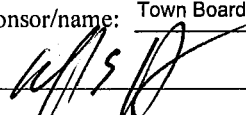
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Town of Canandaigua			
Name of Action or Project: Adoption of a local law to amend town code chapter 220-33 Incentive Zoning			
Project Location (describe, and attach a location map): Town of Canandaigua			
Brief Description of Proposed Action: The Town Board is considering the adoption of a town code amendment that would change Chapter 220-33 Incentive Zoning, to authorize the Town Board to utilize incentive zoning in any Town of Canandaigua zoning district and to clarify options for cash payment in lieu of amenity.			
Name of Applicant or Sponsor: Town Board, Town of Canandaigua		Telephone: 585-394-1120	
		E-Mail: sreynolds@townofcanandaigua.org	
Address: 5440 Route 5 & 20 West			
City/PO: Canandaigua		State: NY	Zip Code: 14424
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <div style="margin-left: 40px;"> a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? </div> If Yes, briefly describe:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Town Board, Town of Canandaigua</u> Date: _____ Signature: <u></u> Title: <u>Town Manager</u>		

PRINT FORM

Project:	Incentive Zoning Amendment
Date:	

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Canandaigua	11.21.22
Name of Lead Agency	Date
Douglas Finch	Town Manager
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

(585) 394-1120

Fax: (585) 394-9476

Established 1791

The following resolution was acted upon by the Canandaigua Town Board on November 21, 2022:

RESOLUTION NO. 2022 – 273: SEQR DETERMINATION OF NON-SIGNIFICANCE AND ADOPTION OF LOCAL LAW TO AMEND THE TOWN CODE CHAPTER 220-33 INCENTIVE ZONING

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as “Town Board”) is considering the adoption of a local law to amend the town code Chapter 220-33 Incentive Zoning, to authorize the Town Board to utilize incentive zoning in any Town of Canandaigua zoning district and to clarify options for payment in lieu of amenity; and

WHEREAS, the Town Board of the Town of Canandaigua held a public hearing(s) on the proposed local law on November 21, 2022; and

WHEREAS, the Town Board determines said proposed action is classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

WHEREAS, the Town Board of the Town of Canandaigua has given consideration to the criteria for determining significance as set forth in § 617.7(c)(1) of the SEQR Regulations and the information contained in the Short Environmental Assessment Form Part 1; and

WHEREAS, the Town Board of the Town of Canandaigua has completed Part 2 and Part 3 of the Short Environmental Assessment Form; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby designates itself as lead agency for the described action; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua has reasonably concluded there would not be any substantial adverse impact on the following: land use planning or zoning regulations; intensity of use of the land; character or quality of the existing community; environmental characteristics; existing level of traffic or infrastructure, use of energy; public or private water supplies; public or private wastewater treatment utilities; character or quality of important historic, archaeological, architectural or aesthetic resources; natural resources; potential for erosion, flooding or drainage problems; or creation of a hazard to environmental resources or human health; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua determines upon the information and analysis documented, the proposed action will not result in any significant adverse environmental impacts; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua does hereby make a Determination of Non-Significance on the proposed action; and

BE IT FURTHER RESOLVED, the Town Manager is hereby directed to sign the Short Environmental Assessment Form Part 3 and file with the Town Clerk as evidence the Town Board has determined the proposed action will not result in any significant adverse environmental impact; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua, after due deliberation, finds it in the best interest of the Town of Canandaigua and the community to adopt said Local Law; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua hereby adopts Local Law No. 9 of the Year 2022; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua directs the Town Clerk to include SEQR, findings, and narrative of the Town Board of the Town of Canandaigua as it pertains to this Local Law for filing purposes; and

BE IT FINALLY RESOLVED, the Town Board of the Town of Canandaigua hereby directs the Town Clerk to enter Local Law No. 9 of the Year 2022 in the minutes of this meeting, and 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.

Motion made by Councilman Fennelly, seconded by Councilwoman DeMay

3 Ayes: DeMay, Fennelly, Simpson

STATE OF NEW YORK}
County of Ontario}
Town of Canandaigua}

I DO HEREBY CERTIFY that I have compared the preceding with the original thereof, on file and on record in the Town Clerk's office, and that the same is a correct copy and transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Town Board held at Canandaigua, New York, on November 21, 2022.

SEAL

Given under my hand and the official seal of said Town, at Canandaigua NY, in said county, on November 22, 2022.


Rebecca Doyle, Deputy Town Clerk

From: Gannett Legals Public Notices 5 (ganlegpubnotices5@gannett.com)
<ganlegpubnotices5@gannett.com>
Sent: Tuesday, November 1, 2022 10:45 AM
To: rdoyle@townofcanandaigua.org
Subject: RE: 7995935 & 7995988 RE: two public hearing notices
Attachments: Public Notice 7995935.pdf; Public Notice 7995988.pdf

Corrected.

Here are the proofs of the legal notices that you have requested.

The notices will run on 11/08/22 in the Canandaigua Daily Messenger.

The total cost is \$39.44 & 39.44 which includes an affidavit. Please reply by 5pm Friday Nov. 4th with changes for the ad. **Your notice is scheduled to run per your request and will publish unless you advise otherwise.** You will be able to receive an affidavit 7-10 business days after the last day of printing.

Thanks,

Kimberly Megrew
Public Notice Representative



Office: 844-678-3462

From: rdoyle@townofcanandaigua.org <rdoyle@townofcanandaigua.org>
Sent: Tuesday, November 1, 2022 9:17 AM
To: Gannett Legals Public Notices 5 <ganlegpubnotices5@gannett.com>
Subject: RE: 7995935 & 7995988 RE: two public hearing notices

Hello

Attached are the correct ones .

Thank you

Rebeca Doyle

Deputy Town Clerk

Town of Canandaigua

5440 Route 5 & 20 West

Canandaigua NY 14424

Office Hours:
Mon, Tues, Thur & Fri
8:00am-4:00pm
Wednesday
8:00am-5:30pm

From: Gannett Legals Public Notices 5 (ganlegpubnotices5@gannett.com) <ganlegpubnotices5@gannett.com>
Sent: Monday, October 31, 2022 4:10 PM
To: rdoyle@townofcanandaigua.org
Subject: 7995935 & 7995988 RE: two public hearing notices

Here are the proofs of the legal notices that you have requested.
The notices will run on 11/08/22 in the Canandaigua Daily Messenger.

The total cost is \$39.06 & 39.44 which includes an affidavit. Please reply by 5pm Friday Nov. 4th with changes for the ad. **Your notice is scheduled to run per your request and will publish unless you advise otherwise.** You will be able to receive an affidavit 7-10 business days after the last day of printing.
Thanks,

 Amberly Megrew
Public Notice Representative



Office: 844-678-3462


From: rdoyle@townofcanandaigua.org <rdoyle@townofcanandaigua.org>
Sent: Monday, October 31, 2022 1:36 PM
To: Messengerlegals-Messengerpostmedia <Messengerlegals@messengerpostmedia.com>
Subject: two public hearing notices

Hello

Please find attached two legal notices that the Town of Canandaigua is requesting to be published int the Tuesday November 8, 2022, Daily messenger. Please confirm receipt and publication date.

Thank you

Rebeca Doyle

 *Deputy Town Clerk*
Town of Canandaigua

5440 Route 5 & 20 West

Canandaigua NY 14424

585-394-1120 Ext 2226

Office Hours:

Mon, Tues, Thur & Fri

8:00am-4:00pm

Wednesday

8:00am-5:30pm

Account Number:	789748
Customer Name:	Town Of Canandaigua *Le*
Customer Address:	Town Of Canandaigua *Le* 5440 State Route 5 And 20 Canandaigua NY 14424-9327
Contact Name:	Town Of Canandaigua *Le*
Contact Phone:	5853941120
Contact Email:	
PO Number:	

Date:	11/01/2022
Order Number:	7995935
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	38.0000
Height in Inches:	0.0000

Print			
Product	# Insertions	Start - End	Category
CND Daily Messenger	1	11/08/2022 - 11/08/2022	Public Notices
CND mpnnow.com	1	11/08/2022 - 11/08/2022	Public Notices

Total Order Confirmation	\$39.44
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Town of Canandaigua
5440 Routes 5 & 20 West
Canandaigua, NY 14424
(585) 394-1120

Fax: (585) 394-9476
Established 1789

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE, that the Town of Canandaigua Town Board will be conducting a public hearing on a draft local law to amend Chapter 220 (Zoning) relating to incentive zoning on Monday, November 21, 2022, beginning at 6:00 p.m. The meeting will be held in the Onnalinda Conference Room on the lower level of the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY, and people can participate via Zoom (details found on the Town's website). All persons of interest will be heard at this time and date. A copy of the draft local law can be viewed from the Town's website. All questions relating to the local law should be directed to Town Manager Doug Finch at dfinch@townofcanandaigua.org

By order of the Town Board
October 17, 2022.
#7995935

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424
(585) 394-1120
Fax: (585) 394-9476

Established 1791

The following resolution was acted upon by the Canandaigua Town Board on October 17, 2022:

RESOLUTION NO. 2022 – 252: SETTING A PUBLIC HEARING TO ADOPT A LOCAL LAW TO AMEND THE TOWN CODE CHAPTER 220-33 INCENTIVE ZONING; AND SEQR INTENT TO DECLARE LEAD AGENCY

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as “Town Board”) is considering the adoption of a local law to amend the town code Chapter 220-33 Incentive Zoning, to authorize the Town Board to utilize incentive zoning in any Town of Canandaigua zoning district and to clarify options for cash payment in lieu of amenity; and

WHEREAS, the Town Board seeks to hold a Public Hearing to obtain public input; and

WHEREAS, the Town Board wishes to refer the proposed draft to the Town of Canandaigua Planning Board, Zoning Board, and the Environmental Conservation Board; and

WHEREAS, the Town Board intends to determine said law change is classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

WHEREAS, the Town Board intends to declare itself as the Lead Agency on the proposed action; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Canandaigua hereby establishes a public hearing to obtain public input as it considers a proposed local law to amend the Town of Canandaigua Code Chapter 220-33 Incentive Zoning to be held on November 21, 2022 at 6:00 pm at the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY 14424 and also via Zoom videoconferencing; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide notice of said public hearing and to provide a copy of this resolution to the Town Manager’s Office.

Motion made by Councilman Fennelly, seconded by Councilwoman DeMay

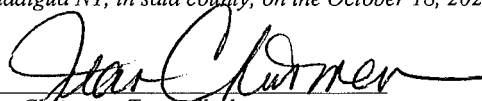
4 Ayes: DeMay, Fennelly, Rudolph, Simpson

STATE OF NEW YORK}
County of Ontario}
Town of Canandaigua}

I DO HEREBY CERTIFY that I have compared the preceding with the original thereof, on file and on record in the Town Clerk's office, and that the same is a correct copy and transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Town Board held at Canandaigua, New York, on October 17, 2022.

SEAL

Given under my hand and the official seal of said Town, at Canandaigua NY, in said county, on the October 18, 2022.


Jean Chrisman, Town Clerk

ATTACHMENT 11



LAW OFFICES OF
CHRISTIAN M. NADLER

****Privileged and Confidential****

TO: Town of Canandaigua Town Board

FROM: Chris Nadler, Town Attorney

DATE: December 19, 2023

RE: Adoption of Local Law # 9 of 2022 (amending Town Code to allow incentive zoning in all districts)

On December 14, 2023 Town Planner Sarah Reynolds received an email from Ontario County Planning Board indicating that they have no record of the above-referenced local law being referred to them as required by NYS General Municipal Law § 239-m, and requesting that the Town see if we have any such record. To date, no record of a referral has been located.

The Town Board adopted Resolution # 2022-273 on November 21, 2022 which issued a SEQR negative declaration and adopted Local Law # 9 of 2022. The Local Law was filed at the NYS Secretary of State's Office on December 2, 2022, and is now Town Code § 220-31, and allows incentive zoning in all districts.

My understanding of the law is that failure to make a County Planning Board referral on a zoning amendment is a jurisdictional defect. As a jurisdictional defect, any challenge to the local law would not be made by an Article 78 lawsuit, but rather a lawsuit seeking a declaratory judgment. This procedural difference is significant because an Article 78 lawsuit has a four month statute of limitations, and a declaratory judgment lawsuit has a six year statute of limitations.

I have looked through all OCPB meeting minutes for 2022 and the second half of 2021 but did not see any mention of what eventually became Local Law # 9. Unfortunately, I only saw on zoning text amendment on OCPB's agendas during 2022, which I believe became Local Law # 8 of 2022. This leaves Local Law # 6 of 2022 (creating the Agricultural Protection Overlay District) and Local Law # 10 of 2022 (creating the Scenic Viewshed Overlay District) also vulnerable to challenge as jurisdictionally defective for the next 4+ years.

At this point I think we need to consider re-adopting each of the local laws described in the preceding paragraph. This will involve referral to OCPB, public hearings, and new local laws adopted with new resolutions. Unless instructed otherwise I will work with

Town Staff to get these 3 local laws on your January agenda to set 3 public hearings at your February Town Board meeting. Depending on when the referral to OCPB is made, you may be able to re-adopt the 3 local laws at your February Town Board meeting.

Please call me if you have any questions or if you would like to discuss this situation.

NADLER.



Planning Board

Municipality and Referring Agency Town of Canandaigua, Town Board

Referring Official (name, title) Sarah Reynolds, Town Planner

Applicant (name & address) N/A

Email

Property Owner (name & address) Town of Canandaigua

5440 Route 5 & 20 West, Canandaigua, NY 14424

Email info@townofcanandaigua.org

Other Agent or Representative (Attorney, Architect, etc) (name & address) _____

Sarah Reynolds, Town Planner

Email sreynolds@townofcanandaigua.org

Property Information:

Tax Map Parcel #'s n/a Zoning n/a

Utilities:

Sewer ☐ Public
☐ Private

Water ☐ Public
☐ Private

Drainage ☐ Public
☐ Private

Application Type

- Area Variance ☐
Use Variance ☐
Special Use Permit ☐
Site Plan ☐
Subdivision ☐
Text Amendment ☒
Map Amendment ☐
Other ☐

Sections of Local Code(s) that apply to this application

Chapter 220-33.2 Agricultural Protection Overlay District, adding section to
town code.

Certification: *With the following signature I certify that this application provides a complete description of the proposed local action and is a complete application pursuant to NYS General Municipal Law Article 12b, Section 239-m, part c.*

Sarah J Reynolds

, Referring Official



Provision of required information is the responsibility of the applicant and referring agency. Failure to provide such information may result in a significant delay in processing.

STATE OF NEW YORK
DEPARTMENT OF STATE

ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
[HTTPS://DOS.NY.GOV](https://dos.ny.gov)

KATHY HOCHUL
GOVERNOR

ROBERT J. RODRIGUEZ
SECRETARY OF STATE

August 31, 2022

Jean Christman
Canandaigua Town Clerk
5440 Routes 9 & 20 West
Canandaigua NY 14424

CANANDAIGUA TOWN CLERK

SEP 13 2022

RECEIVED

RE: Town of Canandaigua, Local Law 6 & 7 2022, filed on August 22 2022

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492

#6 = Agricultural Protection
Overlay District

#7 = Agricultural Advisory
Committee



Department
of State

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424
(585) 394-1120
Fax: (585) 394-9476

Established 1791

August 18, 2022

NYS Department of State
Division of Corporations, State Records and
Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, New York 12231

RE: Filing of Local Law 6 and 7 of 2022

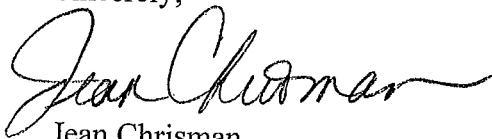
To Whom It May Concern:

Enclosed is a certified original of Local Law 6 and 7 of 2022 that were adopted by the Canandaigua Town Board on Monday, August 15, 2022:

- LL 6 of 2022: Amending Chapter 220 (Zoning) Creating Section 220-33.2 Titled Agricultural Protection Overlay District
- LL 7 of 2022: Amendment to Chapter 4 Agricultural Advisory Committee

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Jean Chrisman
Town Clerk

Encs.

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of Canandaigua

Local Law No. 6 of the year 20 22

A local law Amending Chapter 220 (Zoning) Creating Section 220-33.2 Titled
(Insert Title)
Agricultural Protection Overlay District

Be it enacted by the Town Board of the
(Name of Legislative Body)

☒ County ☐ City ☐ Town ☐ Village
(Select one:)

of Canandaigua as follows:

See Attachment A

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Town of Canandaigua

LL 7 of 2022

ATTACHMENT A

The following section of Town of Canandaigua Town Code would be new and created:

§220-33.2 Agricultural Protection Overlay District

§ 220- 33.2.1 Intent.

It is the intent of this article to encourage a viable farming economy and community and to promote agriculture in the Town of Canandaigua by creating an Agriculture Protection Overlay District for parcels seven acres or more in the area identified as the Town of Canandaigua Agricultural Protection Overlay District as described in §220-33.2.2. Farms provide jobs and support the local economy, fresh foods and rural character and scenic landscape while requiring fewer community services. Furthermore, farms maintain wildlife habitat and other natural resources. This article seeks to sustain these important contributions provided by local farms to residents of the Town of Canandaigua by creating a protection area that includes a large area of prime farmland soil classification.

§ 220- 33.2.2 Agricultural Protection Overlay District.

The Agricultural Protection Overlay District shall be defined to include only those parcels of seven acres or greater in the Town of Canandaigua's Strategic Farmland Protection Area as mapped in the Town of Canandaigua Agricultural Enhancement Plan (adopted by the Town Board December 2016) labeled Map 7: Strategic Farmland Protection Area prepared November 10, 2016 and include only those parcels seven acres or greater in the Town of Canandaigua identified as south of County Road 30 and north of Rossier Road and west of NYS Route 21 and east of the Town of Canandaigua municipal boundary.

§ 220- 33.2.3 Purpose; effect on inconsistent provisions.

This article is enacted pursuant to the authority and power granted by Municipal Home Rule of the State of New York, Chapter 62 of Consolidated Laws, Article 16, in conformance with the Town's Comprehensive Plan and Agricultural Enhancement Strategy, to promote the public health, safety, comfort, convenience, economy, natural, agricultural, and cultural resources, aesthetics and the general welfare relating to agriculture uses in the Agricultural Protection Overlay District. Additionally, the purpose of this section of code is to encourage agriculture to continue and prosper and coordinate the Town of Canandaigua Comprehensive (Master) Plan, Agriculture and Open Space Preservation Study, Open Space and Recreation Needs Assessment Report, Agricultural Enhancement Strategy and other applicable Town, county, state, federal and regional plans and programs by specifically requiring the Town Board of the Town of Canandaigua to either approve or disapprove any new infrastructure improvements in the Agricultural Protection Overlay District prior to approval of new major subdivisions by the Planning Board.

§ 220-33.2.4 Right to engage in agricultural practices.

- A. Any owner or possessor of real property covered by this chapter, as well as those employed, retained or otherwise authorized to act on behalf of such individual, may lawfully engage in agricultural practices, within the Town of Canandaigua at any and all such times and in all locations as are reasonably necessary to conduct agriculture.
- B. There shall exist a presumption that no agricultural use that conforms to all relevant federal, state or local statutes, rules and regulations or ordinances and which does not pose a direct threat to public health and safety shall constitute a public nuisance, nor shall any such use be deemed to otherwise invade or interfere with the use and enjoyment of any other land or property.

§ 220-33.2.5 New infrastructure improvements.

- A. Any decision to expand public water or sewer lines shall consider limiting, minimizing, or mitigation of the expansion of water or sewer services to avoid those areas in the Agriculture Protection Overlay District.
- B. Any expansion of publicly owned water or sewer lines in the Agriculture Protection Overlay District must be approved by the Town Board of the Town of Canandaigua prior to the Planning Board granting major subdivision approval.

**(Complete the certification in the paragraph that applies to the filing of this local law and
strike out that which is not applicable.)**

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 7 of 2022 of the (County)(City)(Town)(Village) of Canandaigua was duly passed by the Town Board on August 15 2022, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*)
on _____ 2022, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. Such local (Elective Chief Executive Officer*)
law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

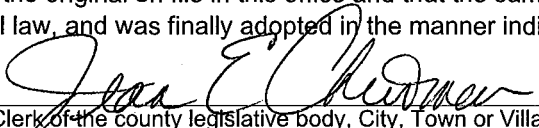
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.


Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date:

8/18/2022

(Seal)

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424
(585) 394-1120
Fax: (585) 394-9476

Established 1791

The following resolution was acted upon by the Canandaigua Town Board on August 15, 2022:

RESOLUTION NO. 2022 – 216: SEQR DETERMINATION OF NON-SIGNIFICANCE AND ADOPTION OF LOCAL LAW TO AMEND THE TOWN CODE SECTION 220-33.2 AGRICULTURAL PROTECTION OVERLAY DISTRICT

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as “Town Board”) is considering the adoption of a local law to amend the town code to create a new section: 220-33.2 Agricultural Protection Overlay District, for certain parcels seven acres or greater within a specified area of the Strategic Farmland Protection Area; and

WHEREAS, the Town Board of the Town of Canandaigua held a public hearing(s) on the proposed local law on August 15, 2022; and

WHEREAS, the Town Board determines said proposed action is classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

WHEREAS, the Town Board of the Town of Canandaigua has given consideration to the criteria for determining significance as set forth in § 617.7(c)(1) of the SEQR Regulations and the information contained in the Short Environmental Assessment Form Part 1; and

WHEREAS, the Town Board of the Town of Canandaigua has completed Part 2 and Part 3 of the Short Environmental Assessment Form; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby designates itself as lead agency for the described action; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua has reasonably concluded there would not be any substantial adverse impact on the following: land use planning or zoning regulations; intensity of use of the land; character or quality of the existing community; environmental characteristics; existing level of traffic or infrastructure, use of energy; public or private water supplies; public or private wastewater treatment utilities; character or quality of important historic, archaeological, architectural or aesthetic resources; natural resources; potential for erosion, flooding or drainage problems; or creation of a hazard to environmental resources or human health; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua determines upon the information and analysis documented, the proposed action will not result in any significant adverse environmental impacts; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua does hereby make a Determination of Non-Significance on the proposed action; and

BE IT FURTHER RESOLVED, the Town Manager is hereby directed to sign the Short Environmental Assessment Form Part 3 and file with the Town Clerk as evidence the Town Board has determined the proposed action will not result in any significant adverse environmental impact; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua, after due deliberation, finds it in the best interest of the Town of Canandaigua and the community to adopt said Local Law; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua hereby adopts Local Law No. 7 of the Year 2022; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua directs the Town Clerk to include SEQR, findings, and narrative of the Town Board of the Town of Canandaigua as it pertains to this Local Law for filing purposes; and

BE IT FINALLY RESOLVED, the Town Board of the Town of Canandaigua hereby directs the Town Clerk to enter Local Law No. 7 of the Year 2022 in the minutes of this meeting, and 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.

Motion made by Councilwoman Rudolph, seconded by Councilman Fennelly

4 Ayes: DeMay, Fennelly, Rudolph, Simpson

STATE OF NEW YORK}
County of Ontario}
Town of Canandaigua}

I DO HEREBY CERTIFY that I have compared the preceding with the original thereof, on file and on record in the Town Clerk's office, and that the same is a correct copy and transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Town Board held at Canandaigua, New York, on August 15, 2022.

SEAL

Given under my hand and the official seal of said Town, at Canandaigua NY, in said county, on the August 16, 2022


Jean Chrisman, Town Clerk

LOCALiQ

Observer-Dispatch | Daily Messenger
Burlington County Times
Times Telegram | New Jersey Herald
Times Herald-Record

PO Box 631202 Cincinnati, OH 45263-1202

PROOF OF PUBLICATION

Town Of Canandaigua *Le*
5440 State Route 5 And 20
Canandaigua NY 14424-9327

STATE OF WISCONSIN, COUNTY OF BROWN

The Daily Messenger, a daily newspaper of general circulation; printed and published in Canandaigua, Ontario County, New York; that the publication, a copy of which is attached hereto, was Published in said newspaper in the issues dated:

08/05/2022

That said newspaper was regularly issued and circulated on those dates.

Sworn to and subscribed before on 08/05/2022

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$36.78

Order No: 7613528

Customer No: 789748

PO #:

of Copies:

-1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

AMY KOKOTT
Notary Public
State of Wisconsin

PUBLIC HEARING NOTICE
PLEASE TAKE NOTICE, that the Town of Canandaigua Town Board will be conducting a public hearing on a draft local law to Chapter 220 (Zoning) by creating Section 220-33.2 Agricultural Protection Overlay District Monday, August 15, 2022, beginning at 6:00 p.m. The meeting will be held in the Onnalinda Conference Room on the lower level of the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY, and people can participate via Zoom (details found on the Town's website). All persons of interest will be heard at this time and date. A copy of the draft local law can be viewed from the Town's website. All questions relating to the local law should be directed to Town Manager Doug Finch at dfinch@townofcanandaigua.org By order of the Town Board
June 13, 2022.

Aug 5
7613528

Short Environmental Assessment Form

Part 1 - Project Information

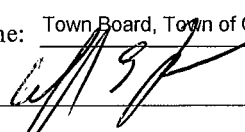
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information							
Town of Canandaigua							
Name of Action or Project: Adoption of a local law to create new town code section 220-33.2 Agricultural Protection Overlay District							
Project Location (describe, and attach a location map): Town of Canandaigua							
Brief Description of Proposed Action: The Town Board is considering the adoption of a town code amendment that would create new town code section 220-33.2 Agricultural Protection Overlay District.							
Name of Applicant or Sponsor: Town Board, Town of Canandaigua		Telephone: 585-394-1120					
		E-Mail: sreynolds@townofcanandaigua.org					
Address: 5440 Route 5 & 20 West							
City/PO: Canandaigua		State: NY	Zip Code: 14424				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input type="checkbox"/>						
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres							
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Town Board, Town of Canandaigua</u> Date: _____ Signature: <u></u> Title: <u>Town Manager</u>		

Project:

Ag Overlay

Date:

8/23/22

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: Ag Overlay

Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Canandaigua	8/23/22
Name of Lead Agency	Date
Doug Finch	Town Manager
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424
(585) 394-1120
Fax: (585) 394-9476

Established 1791

The following resolution was acted upon by the Canandaigua Town Board on July 18, 2022:

RESOLUTION NO. 2022 – 203: SETTING A PUBLIC HEARING ON A LOCAL LAW TO AMEND THE TOWN CODE SECTION 220-33.2 AGRICULTURAL PROTECTION OVERLAY DISTRICT; AND SEQR INTENT TO DECLARE LEAD AGENCY

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as "Town Board") is considering the adoption of a local law to amend the town code to create a new section: 220-33.2 Agricultural Protection Overlay District, for certain parcels seven acres or greater within a specified area of the Strategic Farmland Protection Area; and

WHEREAS, the purpose of this district is to protect valuable agricultural lands in the specified region by requiring Town Board approval of any new infrastructure improvements prior to major subdivision approval by the Planning Board; and

WHEREAS, the Town Board seeks to hold a Public Hearing to obtain public input; and

WHEREAS, the Town Board wishes to refer the proposed draft to the Town of Canandaigua Planning Board, Zoning Board, Environmental Conservation Board, and the Ontario County Planning Board; and

WHEREAS, the Town Board intends to determine said law change is classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

WHEREAS, the Town Board intends to declare itself as the Lead Agency on the proposed action; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Canandaigua hereby establishes a public hearing to obtain public input as it considers the following proposed local law to amend the Town of Canandaigua Code Chapter 4 "Agricultural Advisory Committee" to be held on July 18, 2022 at 6:00 pm at the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY 14424 and also via Zoom videoconferencing; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide notice of said public hearing and to provide a copy of this resolution to the Town Manager's Office.

Motion made by Councilwoman DeMay, seconded by Councilman Fennelly


4 Ayes: DeMay, Fennelly, Rudolph, Simpson

STATE OF NEW YORK}
County of Ontario}
Town of Canandaigua}

I DO HEREBY CERTIFY that I have compared the preceding with the original thereof, on file and on record in the Town Clerk's office, and that the same is a correct copy and transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Town Board held at Canandaigua, New York, on July 18, 2022.

SEAL

Given under my hand and the official seal of said Town, at Canandaigua NY, in said county, on the August 3, 2022


Jean Chrisman, Town Clerk

ATTACHMENT 12



LAW OFFICES OF
CHRISTIAN M. NADLER

****Privileged and Confidential****

TO: Town of Canandaigua Town Board

FROM: Chris Nadler, Town Attorney

DATE: December 19, 2023

RE: Adoption of Local Law # 9 of 2022 (amending Town Code to allow incentive zoning in all districts)

On December 14, 2023 Town Planner Sarah Reynolds received an email from Ontario County Planning Board indicating that they have no record of the above-referenced local law being referred to them as required by NYS General Municipal Law § 239-m, and requesting that the Town see if we have any such record. To date, no record of a referral has been located.

The Town Board adopted Resolution # 2022-273 on November 21, 2022 which issued a SEQR negative declaration and adopted Local Law # 9 of 2022. The Local Law was filed at the NYS Secretary of State's Office on December 2, 2022, and is now Town Code § 220-31, and allows incentive zoning in all districts.

My understanding of the law is that failure to make a County Planning Board referral on a zoning amendment is a jurisdictional defect. As a jurisdictional defect, any challenge to the local law would not be made by an Article 78 lawsuit, but rather a lawsuit seeking a declaratory judgment. This procedural difference is significant because an Article 78 lawsuit has a four month statute of limitations, and a declaratory judgment lawsuit has a six year statute of limitations.

I have looked through all OCPB meeting minutes for 2022 and the second half of 2021 but did not see any mention of what eventually became Local Law # 9. Unfortunately, I only saw on zoning text amendment on OCPB's agendas during 2022, which I believe became Local Law # 8 of 2022. This leaves Local Law # 6 of 2022 (creating the Agricultural Protection Overlay District) and Local Law # 10 of 2022 (creating the Scenic Viewshed Overlay District) also vulnerable to challenge as jurisdictionally defective for the next 4+ years.

At this point I think we need to consider re-adopting each of the local laws described in the preceding paragraph. This will involve referral to OCPB, public hearings, and new local laws adopted with new resolutions. Unless instructed otherwise I will work with

Town Staff to get these 3 local laws on your January agenda to set 3 public hearings at your February Town Board meeting. Depending on when the referral to OCPB is made, you may be able to re-adopt the 3 local laws at your February Town Board meeting.

Please call me if you have any questions or if you would like to discuss this situation.

NADLER.



Zoning & Subdivision
Referral Cover Sheet

Planning Board

Municipality and Referring Agency Town of Canandaigua, Town Board

Referring Official (name, title) Sarah Reynolds, Town Planner

Applicant (name & address) N/A

Email

Property Owner (name & address) Town of Canandaigua

5440 Route 5 & 20 West, Canandaigua, NY 14424

Email info@townofcanandaigua.org

Other Agent or Representative (Attorney, Architect, etc) (name & address) _____

Sarah Reynolds, Town Planner

Email sreynolds@townofcanandaigua.org

Property Information:

Tax Map Parcel #'s n/a Zoning n/a

Utilities:

Sewer ☐ Public
☐ Private

Water ☐ Public
☐ Private

Drainage ☐ Public
☐ Private

Application Type

- Area Variance ☐
Use Variance ☐
Special Use Permit ☐
Site Plan ☐
Subdivision ☐
Text Amendment ☒
Map Amendment ☐
Other ☐

Sections of Local Code(s) that apply to this application

Chapter 220-33.1 Scenic Viewshed Overlay District, amending section of
town code.

Certification: *With the following signature I certify that this application provides a complete description of the proposed local action and is a complete application pursuant to NYS General Municipal Law Article 12b, Section 239-m, part c.*

Sarah Reynolds

_____, Referring Official



Provision of required information is the responsibility of the applicant and referring agency. Failure to provide such information may result in a significant delay in processing.

STATE OF NEW YORK
DEPARTMENT OF STATE

ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
[HTTPS://DOS.NY.GOV](https://dos.ny.gov)

KATHY HOCHUL
GOVERNOR

ROBERT J. RODRIGUEZ
SECRETARY OF STATE

December 7, 2022 **CANANDAIGUA TOWN CLERK**

DEC 12 2022

RECEIVED

Town of Canandaigua
5440 Routes 5 & 20 West
Canandaigua, NY 14424

RE: Town of Canandaigua, Local Law 9 & 10 2022, filed on 12/2/2022

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492

*LL#9 - Amend Sect 220-31
Incentive Zoning
✓LL#10 - Amend Sect 220-33 Scenic
Viewshed Overlay*



**Department
of State**

Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

(585) 394-1120

Fax: (585) 394-9476

Established 1791

November 29, 2022

NYS Department of State
Division of Corporations, State Records and
Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, New York 12231

RE: Filing of Local Laws 9 and 10 of 2022

To Whom It May Concern:

Enclosed is a certified original of Local Laws 9 and 10 of 2022 that were adopted by the Canandaigua Town Board on Monday, October 21, 2022:

- LL 9 of 2022: Amendments to Chapter 220 (Zoning) Section 220-31 Incentive Zoning District
- ✓ LL 10 of 2022: Amendments to Chapter 220 (Zoning) Section 220-33 Scenic Viewshed Overlay District

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Jean Chrisman
Town Clerk

Encs.

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of Canandaigua

Local Law No. 10 of the year 2022

A local law Amendments to Chapter 220 (Zoning) Section 220-33 Scenic Viewshed Overlay District
(Insert Title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of Canandaigua as follows:

See Attachment A

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Attachment A
Local Law 10 of 2022

§ 220-33.1 Scenic Viewshed Overlay District.

- A. Purpose. It is the purpose of the Scenic Viewshed Overlay District (SVO District) to provide supplemental regulations to the underlying zoning district(s) that are located within the mapped SVO District to support the protection of the Town of Canandaigua's natural resources. The SVO District is an area mapped south of NYS Route 5&20 and identified as "Land Visible from Canandaigua Lake" June 2018 from mapping completed as part of the Town of Canandaigua's Comprehensive Plan and found in the adopted Town of Canandaigua Open Space, Conservation, and Scenic Views Master Plan (2018).
- B. Intent. It is the intent of the SVO District to grant authorization to the Planning Board of the Town of Canandaigua to enable development or subdivision in a manner which shall protect the natural resources as identified in the Town of Canandaigua's Comprehensive Plan; Open Space, Conservation, and Scenic Views Master Plan; and Natural Resource Inventory by promoting new single-family development on minimum one-acre lots in the SVO District and thereby limit the potential harmful impact(s) to the identified natural resources and Canandaigua Lake.
- C. Applicability. The SVO District is overlaid onto the underlying zoning districts. All provisions of the underlay districts shall be applied except where provisions of the SVO District differ, in such cases the more restrictive provision shall apply.
- D. Site development standards. To the extent possible, any subdivision of land in the SVO District shall not create a new lot unless all parcels are at least one acre in size, or the Planning Board finds a lessening of the degree of nonconformity for the combination of preexisting nonconforming lots. To the extent possible, the Planning Board of the Town of Canandaigua shall be authorized to grant subdivision and development of land in the SVO District provided the following standards have been met:
 - (1) Density and minimum lot size. The minimum lot size in the SVO District shall not be less than one acre or the minimum lot size of the underlying zoning district, whichever is greater. In the SVO District the use of conservation subdivisions (§ 174-16) shall not result in a lot size smaller than one acre, and the land area identified as part of the SVO District shall be identified as a priority conservation asset, Class 2.
 - (2) Permitted uses. The following mix of land use is permitted on a legal lot located within the SVO District:
 - (a) One single-family dwelling;
 - (b) One single-family dwelling with accessory apartment, where public sewer and water service exist;
 - (c) Public parks;
 - (d) Public safety facilities.
 - (3) Development shall be located in a manner that maintains the existing landscape features to the greatest extent feasible by locating buildings to complement natural topography. Consideration should be given to blend the proposed development with the existing natural

resources. The Planning Board shall consider and may require those elements identified in the Town of Canandaigua Ridgeline Development Guidelines or Shoreline Development Guidelines as part of the site development authorization.

E. Higher standards to prevail; improvements required.

- (1) The provisions of this chapter shall supersede local laws, ordinances, codes or regulations to the extent such laws, ordinances, codes or regulations are inconsistent with the provisions of this section, provided that nothing herein contained shall be construed to prevent the adoption and enforcement of a law, ordinance or regulation which is more restrictive or establishes a higher standard than those provided in this chapter and such more restrictive requirement or higher standard shall govern during the period in which it is in effect.
- (2) In a case where a provision of this section is found to be in conflict with a provision of a zoning, building, electrical, plumbing, fire safety, health, water supply or sewage disposal law or ordinance, or regulation adopted pursuant thereto, or other local law, ordinance, code or regulation, the provision or higher standard shall prevail.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 9 of 2022 of the (County)(City)(Town)(Village) of Canandaigua was duly passed by the Town Board on November 21 2022, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 2022, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law. (Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

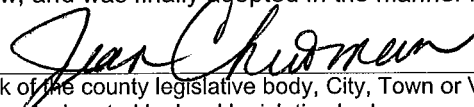
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.


Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: _____

11/29/2022

(Seal)

Short Environmental Assessment Form

Part 1 - Project Information

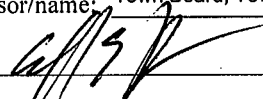
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information							
Town of Canandaigua							
Name of Action or Project: Adoption of a local law to amend town code chapter 220-33.1 Scenic Viewshed Overlay							
Project Location (describe, and attach a location map): Town of Canandaigua							
Brief Description of Proposed Action: The Town Board is considering the adoption of a town code amendment that would change Chapter 220-33.1 Scenic Viewshed Overlay to clarify the minimum lot size requirements.							
Name of Applicant or Sponsor: Town Board, Town of Canandaigua		Telephone: 585-394-1120					
		E-Mail: sreynolds@townofcanandaigua.org					
Address: 5440 Route 5 & 20 West							
City/PO: Canandaigua		State: NY	Zip Code: 14424				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input type="checkbox"/>						
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres							
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Town Board, Town of Canandaigua</u> Date: _____ Signature: <u></u> Title: <u>Town Manager</u>		

Project:

Scenic Viewshed Overlay

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: Scenic Viewshed

Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Canandaigua	11.21.22
Name of Lead Agency	Date
Douglas Finch	Town Manager
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<i>[Signature]</i> Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

(585) 394-1120

Fax: (585) 394-9476

Established 1791

The following resolution was acted upon by the Canandaigua Town Board on November 21, 2022:

RESOLUTION NO. 2022 – 274: SEQR DETERMINATION OF NON-SIGNIFICANCE AND ADOPTION OF A LOCAL LAW TO AMEND TOWN CODE CHAPTER 220-33.1 SCENIC VIEWSHED OVERLAY

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as “Town Board”) is considering the adoption of a local law that would amend zoning code relating to §220-33.1 Scenic Viewshed Overlay District (SVO) to clarify that the minimum lot size in the SVO shall not be less than one acre, or the minimum size of the underlying zoning district whichever is greater; and

WHEREAS, the Town Board of the Town of Canandaigua held a public hearing(s) on the proposed local law on November 21, 2022; and

WHEREAS, the Town Board determines said proposed action is classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

WHEREAS, the Town Board of the Town of Canandaigua has given consideration to the criteria for determining significance as set forth in § 617.7(c)(1) of the SEQR Regulations and the information contained in the Short Environmental Assessment Form Part 1; and

WHEREAS, the Town Board of the Town of Canandaigua has completed Part 2 and Part 3 of the Short Environmental Assessment Form; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Canandaigua hereby designates itself as lead agency for the described action; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua has reasonably concluded there would not be any substantial adverse impact on the following: land use planning or zoning regulations; intensity of use of the land; character or quality of the existing community; environmental characteristics; existing level of traffic or infrastructure, use of energy; public or private water supplies; public or private wastewater treatment utilities; character or quality of important historic, archaeological, architectural or aesthetic resources; natural resources; potential for erosion, flooding or drainage problems; or creation of a hazard to environmental resources or human health; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua determines upon the information and analysis documented, the proposed action will not result in any significant adverse environmental impacts; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua does hereby make a Determination of Non-Significance on the proposed action; and

BE IT FURTHER RESOLVED, the Town Manager is hereby directed to sign the Short Environmental Assessment Form Part 3 and file with the Town Clerk as evidence the Town Board has determined the proposed action will not result in any significant adverse environmental impact; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua, after due deliberation, finds it in the best interest of the Town of Canandaigua and the community to adopt said Local Law; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua hereby adopts Local Law No. 10 of the Year 2022; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Canandaigua directs the Town Clerk to include SEQR, findings, and narrative of the Town Board of the Town of Canandaigua as it pertains to this Local Law for filing purposes; and

BE IT FINALLY RESOLVED, the Town Board of the Town of Canandaigua hereby directs the Town Clerk to enter Local Law No. 10 of the Year 2022 in the minutes of this meeting, and 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.

Motion made by Councilwoman DeMay, seconded by Councilman Fennelly

3 Ayes: DeMay, Fennelly, Simpson

STATE OF NEW YORK}
County of Ontario}
Town of Canandaigua}

I DO HEREBY CERTIFY that I have compared the preceding with the original thereof, on file and on record in the Town Clerk's office, and that the same is a correct copy and transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Town Board held at Canandaigua, New York, on November 21, 2022.

SEAL

Given under my hand and the official seal of said Town, at Canandaigua NY, in said county, on November 22, 2022.


Rebecca Doyle, Deputy Town Clerk

rdoyle@townofcanandaigua.org

From: Gannett Legals Public Notices 5 (ganlegpubnotices5@gannett.com)
<ganlegpubnotices5@gannett.com>
Sent: Tuesday, November 1, 2022 10:45 AM
To: rdoyle@townofcanandaigua.org
Subject: RE: 7995935 & 7995988 RE: two public hearing notices
Attachments: Public Notice 7995935.pdf; Public Notice 7995988.pdf

Corrected.

Here are the proofs of the legal notices that you have requested.

The notices will run on 11/08/22 in the Canandaigua Daily Messenger.

The total cost is \$39.44 & 39.44 which includes an affidavit. Please reply by 5pm Friday Nov. 4th with changes for the ad. **Your notice is scheduled to run per your request and will publish unless you advise otherwise.** You will be able to receive an affidavit 7-10 business days after the last day of printing.
Thanks,

Kimberly Megrew
Public Notice Representative



Office: 844-678-3462

From: rdoyle@townofcanandaigua.org <rdoyle@townofcanandaigua.org>
Sent: Tuesday, November 1, 2022 9:17 AM
To: Gannett Legals Public Notices 5 <ganlegpubnotices5@gannett.com>
Subject: RE: 7995935 & 7995988 RE: two public hearing notices

Hello

Attached are the correct ones .

Thank you

Rebeca Doyle

Deputy Town Clerk

Town of Canandaigua

5440 Route 5 & 20 West

Canandaigua NY 14424

585-394-1120 Ext 2226

Office Hours:

Mon, Tues, Thur & Fri

8:00am-4:00pm

Wednesday

8:00am-5:30pm

From: Gannett Legals Public Notices 5 (ganlegpubnotices5@gannett.com) <ganlegpubnotices5@gannett.com>

Sent: Monday, October 31, 2022 4:10 PM

To: rdoyle@townofcanandaigua.org

Subject: 7995935 & 7995988 RE: two public hearing notices

Here are the proofs of the legal notices that you have requested.

The notices will run on 11/08/22 in the Canandaigua Daily Messenger.

The total cost is \$39.06 & 39.44 which includes an affidavit. Please reply by 5pm Friday Nov. 4th with changes for the ad. **Your notice is scheduled to run per your request and will publish unless you advise otherwise.** You will be able to receive an affidavit 7-10 business days after the last day of printing.

Thanks,

 Kimberly Megrew
Public Notice Representative



Office: 844-678-3462

From: rdoyle@townofcanandaigua.org <rdoyle@townofcanandaigua.org>

Sent: Monday, October 31, 2022 1:36 PM

To: Messengerlegals-Messengerpostmedia <Messengerlegals@messengerpostmedia.com>

Subject: two public hearing notices

Hello

Please find attached two legal notices that the Town of Canandaigua is requesting to be published in the Tuesday November 8, 2022, Daily messenger. Please confirm receipt and publication date.

Thank you

Rebeca Doyle

Deputy Town Clerk

Town of Canandaigua

5440 Route 5 & 20 West

Canandaigua NY 14424

585-394-1120 Ext 2226

Office Hours:

Mon, Tues, Thur & Fri

8:00am-4:00pm

Wednesday

8:00am-5:30pm

LOCALiQ

Observer-Dispatch | Daily Messenger
Times Telegram | New Jersey Herald
Times Herald-Record

Order Confirmation

Not an Invoice

Account Number:	789748
Customer Name:	Town Of Canandaigua *Le*
Customer Address:	Town Of Canandaigua *Le* 5440 State Route 5 And 20 Canandaigua NY 14424-9327
Contact Name:	Town Of Canandaigua *Le*
Contact Phone:	5853941120
Contact Email:	
PO Number:	

Date:	11/01/2022
Order Number:	7995988
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	38.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
CND Daily Messenger	1	11/08/2022 - 11/08/2022	Public Notices
CND mpnow.com	1	11/08/2022 - 11/08/2022	Public Notices

Total Order Confirmation

\$39.44

Ad Preview

Town of Canandaigua
5440 Routes 5 & 20 West
Canandaigua, NY 14424

(585) 394-1120

Fax: (585) 394-9476

Established 1789

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE, that the Town of Canandaigua Town Board will be conducting a public hearing on a draft local law to amend Chapter 220 (Zoning) relating to Scenic Viewshed on Monday, November 21, 2022, beginning at 6:00 p.m. The meeting will be held in the Onnclinda Conference Room on the lower level of the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY, and people can participate via Zoom (details found on the Town's website). All persons of interest will be heard at this time and date. A copy of the draft local law can be viewed from the Town's website. All questions relating to the local law should be directed to Town Manager Doug Finch at dfinch@townofcanandaigua.org

By order of the Town Board
October 17, 2022.
#7995988

Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

(585) 394-1120

Fax: (585) 394-9476

Established 1791

The following resolution was acted upon by the Canandaigua Town Board on October 17, 2022:

RESOLUTION NO. 2022 – 251: SETTING A PUBLIC HEARING TO ADOPT A LOCAL LAW TO AMEND TOWN CODE CHAPTER 220-33.1 SCENIC VIEWSHED OVERLAY; AND SEQR INTENT TO DECLARE LEAD AGENCY

WHEREAS, the Town Board of the Town of Canandaigua (herein after referred to as “Town Board”) is considering the adoption of a local law that would amend zoning code relating to §220-33.1 Scenic Viewshed Overlay District (SVO) to clarify that the minimum lot size in the SVO shall not be less than one acre, or the minimum size of the underlying zoning district whichever is greater; and

WHEREAS, the Town Board seeks to hold a Public Hearing to obtain public input; and

WHEREAS, the Town Board wishes to refer the proposed draft to the Town of Canandaigua Planning Board, Zoning Board, Environmental Conservation Board; and

WHEREAS, the Town Board intends to determine said law change is classified as an Unlisted Action under the SEQR Regulations per §617 of the NYS Department of Environmental Conservation Law; and

WHEREAS, the Town Board intends to declare itself as the Lead Agency on the proposed action; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Canandaigua hereby establishes a public hearing to obtain public input as it considers the proposed local law to amend the Town of Canandaigua Code section §220-33.1 Scenic Viewshed Overlay District to be held on November 21, 2022 at 6:00 pm at the Canandaigua Town Hall located at 5440 Route 5 & 20 West, Canandaigua, NY 14424 and also via Zoom videoconferencing; and

BE IT FINALLY RESOLVED, the Town Clerk is directed to provide notice of said public hearing and to provide a copy of this resolution to the Town Manager’s Office.


Motion made by Councilwoman Rudolph, seconded by Councilman Fennelly

4 Ayes: DeMay, Fennelly, Rudolph, Simpson

STATE OF NEW YORK}
County of Ontario}
Town of Canandaigua}

I DO HEREBY CERTIFY that I have compared the preceding with the original thereof, on file and on record in the Town Clerk’s office, and that the same is a correct copy and transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Town Board held at Canandaigua, New York, on October 17, 2022.

Given under my hand and the official seal of said Town, at Canandaigua NY, in said county, on the October 18, 2022.


Jean Chrisman
Jean Chrisman, Town Clerk

ATTACHMENT 13



TRANSMITTAL LETTER & MANAGEMENT OVERVIEW

Lindsay Frarey
Human Resource & Payroll Coordinator
Town of Canandaigua
5440 Route 5&20W
Canandaigua, NY 14424
via email: LFrarey@townofcanandaigua.org

Lindsay,

I hope this message finds you well. Thank you for the opportunity to present some background information on my consulting services. Please allow me to introduce myself and my firm, Pracademic Partners, via this letter of interest, statement of qualifications, and quote for services.

By way of background, I am presently the County Administrator in Livingston County, New York. I have served the County as the Chief Administrative Officer since 2008 and recently announced that I will not be seeking a reappointment. For many years, I have also assisted other organizations with executive recruitments through select consulting engagements. Municipal clients in New York State include the City of Ithaca, the City of Geneva, the City of Cortland, the Village of Larchmont and the Town of Erwin, to name a few.

Pracademic Partners specializes in executive search. Ours is a fully turnkey solution that provides best-in class, expert-level assistance in all areas of recruitment. With my depth of experience in local government management, and knowledge of municipal executive hiring needs, I am uniquely qualified and positioned to assist the Town of Canandaigua with this effort.

I have long been an involved and active member of many professional associations, including the New York State City/County Management Association (Executive Board) and the International City/County Management Association (Coach/Mentor; Service to various committees) and I have strong partnerships with leading local government related organizations. Through my experience in Livingston County, and in engagements with Pracademic Partners, I have successfully hired for nearly every managerial position in public sector organizations, including chief administrative officer.

(cont'd)

What separates my firm from the rest is that Pracademic Partners is a boutique, solo consultancy. No array of Senior Vice Presidents. No cookie cutter approach. I take on only a select number of engagements annually. I source, I do not just search and I do not work both sides, so to speak, with preferred and/or recycled candidate lists and the like.

I am also well versed in local government and, in particular local government in New York, and can thus appreciate the pride that the Town of Canandaigua has in your suite of services, programs and operations. My aim is to foster the advancement of sound, professional administration in local governments across the state and nation.

You can find more information about my firm on our website:

<http://www.pracademicpartners.com>

Pracademic Partners would welcome an opportunity to start a partnership with the Town of Canandaigua.

Respectfully Submitted for Pracademic Partners, LLC

Ian M. Coyle

Dr. Ian M. Coyle, President
Pracademic Partners, LLC

Enc: Typical Search Process Information / Consultant Bio / Fee Proposal (Quote)



Executive
Search



Management
Consulting



Leadership
Coaching / Teaching

**Helping public sector,
non-profit and higher
education organizations
source and develop top
talent through a dynamic
and responsive approach**

Cities | Counties | Towns | Non Profit Organizations



Strengths and Separators

Unlike others in this field of Executive Search work, only Pracademic Partners can offer the following multi-tiered features:

	Depth of New York State / National Experience and Reputation	Longtime administrator in New York; Connected and networked with public administration professionals both in NY and also nationwide.
	Recent CAO Experience & CAO-Specific Recruitment Work	Livingston County Administrator (pop. 62,000) 2008-Present; Successfully recruited for every executive position in local government.
	Academic Program Connections	Adjunct Appointments - and alumni connections - with multiple programs including the University of Virginia, NIU & Tulane University.
	Pracademic Partners is a Solo Consultancy	Nimble and dynamic approach; No array of Senior Vice Presidents.
	Strength of Association Connections	Member of ICMA, NACo, NACA, CCAP, GFOA; Board member for two non-profits.
	Technology and Turnkey Services	Full service background check solution; Start-to-Finish support.
	Individual and Customized Service	Truly a boutique firm; Select number of engagements.

Relevant Experience & Qualifications

As Livingston County Administrator, Ian M. Coyle has successfully recruited for dozens of managerial positions in county government, including but not limited to:

- Director of Economic Development / IDA Director
- Deputy County Administrator
- County Attorney
- Social Services Commissioner
- Public Health Director
- Director of Information and Technology Services
- Workforce Development Director
- Office for the Aging Director
- Human Resources Director
- Grants and Public Information Coordinator

WITH PRACADEMIC PARTNERS (Sampling)

Ian has provided technical assistance (recruitment strategy consultation, interview preparation, resume review, and/or other administrative supports) for numerous position recruitments. Ian also led the full-service executive search engagements for the Geneva City Manager, the Cortland City Administrator, and the Seneca County Manager. Recently, he concluded the Executive Director/CEO search for the Cortland County Business Development Corporation and is presently assisting the Town of Erwin with their Town Manager recruitment. Other recent client engagements include Allegheny County (PA) and the City of Long Beach, on Long Island. Pracademic Partners is also under contract with Coconino County, Arizona to handle on-call / as-needed executive searches in 2023.

SPECIFIC TO THE LAST YEAR (Sampling)

Ian has successfully recruited and sourced the positions of:

- City Administrator (Cortland, NY)
- Executive Director/CEO (Cortland County Business Development Corporation)
- County Manager (Seneca County, NY)
- City Manager (Ithaca, NY)

Marketing of the Position

Our marketing plan would be in line with your expectations on the search and customized to this specific recruitment.

To reiterate, we truly believe in - and walk the walk, as it relates to - a customized approach tailored to your needs. The actual recruitment process would be aligned with your requested scope of services in the RFQ and guided by search committee input, if applicable. While we would not come into any engagement with preconceived notions, a sampling of marketing efforts in past successful recruitments has included:

- Placement of the job announcement in a prominent position on the Town's official website and the website of Pracademic Partners
- Regular broadcasting of the announcement on any Town social media accounts
- Advertisements in local and regional newspapers
- Publication of a professional recruitment brochure to include advertisements placed with (illustrative sampling):
 - International City/County Management Association
 - NYS City/County Management Association
 - NYCOM
 - NYS Association of Towns
 - National Forum for Black Public Administrators
 - Local Government Hispanic Network
 - LinkedIn
 - Engaging Local Government Leaders
 - Area job boards; WIB, Chamber of Commerce, DOL
 - Placement of the job announcement to professional association list-servs at the state and regional level

Pracademic Partners, through the profile of Founder and President Ian M. Coyle, has a deep, national network of contacts in the local government management profession.

The announcement will also be sent to the academic programs affiliated with Pracademic Partners, adding to thousands of additional recipients and potentially interested applicants.

Typical Approach & Proposed Schedule

The formal recruitment process would be dictated by the Town. Again, no cookie-cutter approach here. To summarize, the specific recruitment process would be in conformance with your example scope of services in the RFQ.

A typical phased-in process with numbered stages, example process steps and proposed timeframes (dated from contract signing) would look like:

1. Information Gathering / Assessment (~Weeks 1 and 2)

- Town Board feedback solicitation (e.g. wants and needs)
- Search committee - meeting on expectations
- Job description refinement and finalization

2. Pre-Recruitment (~Weeks 2 and 3)

- Development of Recruitment Brochure / Position Profile
- Marketing Plan finalization

3. Active Recruitment (~Weeks 3-6)

- Candidate identification / sourcing (LinkedIn Recruiter, etc)
- Pre-screening
- Candidate summaries, rankings and Search Committee communication

4. Interviewing (~Weeks 6-8)

- Initial Interviews
- Writing samples (if requested)
- Ongoing candidate communication
- Finalist Preparation and Selections

5. Selection and Engagement Closure (~Weeks 8-12)

- Finalist Interviews
- Ongoing candidate communication
- Background / Education / Social Media / Reference checks
- Selection and contract negotiation
- On-Boarding

Cost Proposal / Quote

Pracademic Partners proposes a value-based, professional services fee of \$18,000 for this search. This price is calculated based on the assumed time and resource commitments as called for in a search of this nature. 50% would be due and payable upon contract signing, 25% due and payable at 60 days and the remaining 25% at engagement closure (candidate selection). The recruitment phases include the following elements:

- Information Gathering / Assessment
- Pre-Recruitment
- Active Recruitment
- Interviewing
- Selection and Engagement Closure

This is an “all-in” price and no other search fees will be included in billings back to the Town. Certain advertisement expenses (i.e. ICMA job center posting, etc) would be the responsibility of the Town.

Consultant Biography / Resume



Our Founder and President, **Dr. Ian M. Coyle** has served as Livingston County's County Administrator (Chief Administrative Officer) for over 15 years and in the local government management field since 2004.

Professional Local Government Service

County Administrator – Livingston County, NY 2009 – present
Deputy County Administrator – Livingston County, NY 2008-2009
Village Manager – Village of Brockport, NY 2004-2008
State of New York – Various Capacities, 2002-2003

Professional Association Involvement

ICMA Member / NYSCMA – Board Member, Past President / NACo – Workforce Network Council / GFOA – Member / NACA – Board Member / NYSAC – Member / IPMAHR - Member / CCAP - Member

Education

Bachelor of Arts, Political Science – St. Bonaventure University
Master of Public Administration – University at Albany, SUNY
Doctor of Public Administration – Valdosta State University

Relevant Executive/Managerial Searches

(Assisted On / Lead Recruiter at Livingston County / Lead Consultant)
Executive Director/CEO, County Administrator, City Manager, Town Manager, Village Administrator, Assistant City Manager, Deputy County Administrator, Director of Economic Development / IDA Director, Director of Health, Commissioner of Social Services, Director of Community Services/Mental Health, Director of Human Resources, Veterans Services Director, and countless others.



**Thank you for your
consideration.**



PROPOSAL FOR EXECUTIVE RECRUITMENT SERVICES

**Town Manager
Town of Canandaigua, New York**

December 15, 2023

This proposal is valid for 60 days



Strategic Government Resources
P.O. Box 1642, Keller, Texas 76244
Office: 817-337-8581

JJ Peters, President of Executive Recruitment
JJPeters@GovernmentResource.com



December 15, 2023

Town Board
Town of Canandaigua, New York

Dear Town Board,

Thank you for the opportunity to submit this proposal to assist the Town of Canandaigua in your recruitment for a new Town Manager. At SGR, we take pride in our unique ability to provide personalized and comprehensive recruitment services to meet your specific needs.

We would like to highlight some key aspects that set SGR apart from other recruitment firms and enable us to reach the most extensive and diverse pool of applicants available:

- SGR is a recognized thought leader in local government management and is actively engaged in local government operations, issues, and best management practices.
- SGR has conducted executive recruitments for over 450 local government clients in 37 states, and we value the long-term relationships we have developed with many of our clients who continue to partner with us on future recruitment needs.
- We have a broad community of over 16,000 followers on LinkedIn, one platform we utilize to connect with a wide range of active and passive candidates across the nation.
- Our Servant Leadership e-newsletter, with a subscriber base of over 40,000 in all 50 states, announces all SGR recruitments, further extending our reach. Your position will also be posted on SGR's website and our Job Board.
- In addition, SGR sends targeted emails to our opt-in Job Alert subscriber database including over 5,000 city/town management professionals.

We are happy to provide references upon request. We respectfully request the opportunity to discuss anticipated timeline and salary range prior to confirming our commitment to conduct this recruitment. We are enthusiastic about the prospect of working with the Town of Canandaigua, and we are available to schedule a meeting at your convenience to discuss further.

Respectfully submitted,

Jeri J. Peters, President of Executive Recruitment
JJPeters@GovernmentResource.com

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About SGR

Strategic Government Resources, Inc. (SGR) exists to help local governments become more successful by recruiting, assessing, and developing innovative, collaborative, and authentic leaders. SGR was incorporated in Texas in 2002 with the mission to facilitate innovative leadership in local government. SGR is fully owned by former City Manager Ron Holifield, who spent two high-profile decades in city management and served as a City Manager in several cities.

SGR's business model is truly unique. Although we are a private company, SGR operates like a local government association. Most of SGR's principals are former local government officials, allowing SGR to bring a perspective and depth of local government expertise to every project that no other firm can match.

SGR's Core Values are Customer Service, Integrity, Philanthropy, Continuous Improvement, Agility, Collaboration, Protecting Relationships, and the Golden Rule.

SGR is a full-service firm, specializing in providing solutions for local governments in the areas of recruitment and retention, leadership development and training, innovation and future readiness, and everything in between.

With 30 full-time employees, 1 part-time employee, 27 recruiters, 17 facilitators, and multiple consultants who function as subject matter experts on a variety of projects, SGR offers comprehensive expertise.

The company operates as a fully remote organization, with team members located in Texas, Arizona, California, Colorado, Florida, Georgia, Maine, Missouri, Montana, New York, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, and Utah.

View all SGR team members and their bios at: <https://sgr.pub/MeetTeamSGR>.

SGR's Unique Qualifications

Extensive Network of Prospects

SGR is intent on being a leader in executive recruitment and firmly believes in the importance of proactively building a workforce that reflects the diversity of the communities we serve. We leverage an extensive and diverse network to reach potential applicants.

- Your position will be announced in SGR's Servant Leadership e-newsletter, which reaches over 40,000 subscribers across all 50 states.
- We will send targeted emails to over 5,000 opt-in subscribers of SGR's City/Town Management Job Alerts.
- Your position will appear on SGR's Website, <https://sgr.pub/SGRWebsite>, which attracts approximately 20,000 visitors per month.
- Your position will be posted on SGR's Job Board, <https://sgr.pub/SGRJobBoard>, which typically has over 2,000 job listings at any given time and receives approximately 16,000 unique visitors per month.
- SGR implements a comprehensive social media marketing campaign that includes custom-made graphics and distribution on SGR's LinkedIn page.
- We frequently collaborate with various local government associations, including the League of Women in Government, Alliance for Innovation, and the National Forum for Black Public Administrators.
- Approximately 65% of semifinalists selected by our clients learn about open recruitments through our website, servant leadership e-newsletter, job board, job alert emails, social media, or personal contact.

Collective Local Government Experience

Our recruiters have decades of experience in local government, as well as regional and national networks of relationships. Our executive recruiters leverage the professional networks of all SGR recruiters when recruiting for a position, enabling outreach to a wide and diverse array of prospective applicants. SGR team members are active on a national basis in local government organizations and professional associations. Many SGR team members frequently speak and/or write on issues of interest to local government executives. SGR can navigate relevant networks as both peers and insiders.

Listening to Your Unique Needs

SGR devotes significant time to actively listening to your organization and helping you define and articulate your needs. We work diligently to conduct a comprehensive recruitment process tailored specifically to your organization. SGR dedicates a prodigious amount of energy to understanding your organization's unique culture, environment, and local issues to ensure an alignment in terms of values, philosophy, and management style perspectives.

While we have established systems for achieving success, we are a “boutique” firm capable of adapting to meet a client's specific needs and providing insights on the pros and cons of their preferred approach.

Trust of Candidates

SGR has a track record of providing remarkable confidentiality and wise counsel to candidates and next-generation leaders, earning their trust. As a result, we can bring exceptional prospects to the applicant pool. Candidates trust SGR to assess the situation accurately, communicate honestly, and maintain their confidentiality to the greatest extent possible.

Accessibility and Communication

Your executive recruiter will keep you informed of the search status and will be readily accessible throughout the recruitment process. Candidates and clients can reach the recruiter at any time via cell phone or email. Additionally, the recruiter maintains communication with active applicants, ensuring they are well-informed about the community and the opportunity.

Comprehensive Evaluation and Vetting of Candidates

SGR offers a comprehensive screening process designed to ensure a thorough understanding of candidate backgrounds and to minimize surprises. Our vetting process includes the following key components:

- Prescreening questions and technical review of resumes
- Cross-communication among our recruiters regarding candidates who have been involved in previous searches, providing greater insight into their background and skills.
- Written questionnaires to gain insights beyond what is available through a resume.
- Recorded one-way semifinalist interviews.
- All-inclusive media reports that far surpass automated Google/LexisNexis searches, tailored to each candidate based on their previous places of residence and work.
- Thorough, automated, and anonymous reference checks that provide feedback on candidates from a well-rounded group of references.
- Background checks completed by a licensed private investigation firm.

Executive Recruitment Clients

SGR has partnered on executive recruitments with more than 450 local government clients in 37 states. We take great pride in the long-term relationships we have developed with many of our clients who continue to partner with us on future recruitment needs.

View a full list of our Executive Recruitment Clients at: <https://sgr.pub/ERClientList>.

DEI in Recruitments

SGR is deeply committed to equal employment opportunity and considers it an ethical imperative. We unequivocally reject any form of bias, expecting that candidates be assessed solely based on their ability to perform the job. Encouraging underrepresented demographic groups to apply is a vital aspect of our commitment. While we cannot guarantee the composition of semifinalist or finalist groups, SGR actively fosters relationships and contacts on a national scale to ensure meaningful participation of underrepresented groups. Our recruitment process is consistently evaluated and refined to incorporate a focus on equity and inclusion.

Statistics are a testament to our commitment to diversity and inclusion. In our 2022 placements, 32% of candidates were female and 20.5% indicated they were a person of color. Within SGR, our team of six executives includes three women and one person of color, and 72% of SGR's staff members are women. Our internal hiring practices are designed to attract diverse talent from various backgrounds and experiences. We understand the importance of words, ensuring our recruitment materials are inclusive and reflect an equity-focused perspective.

We also actively recommend advertising placements to attract a diverse applicant pool, leveraging partnerships with organizations such as the League of Women in Government, the Local Government Hispanic Network, and the National Forum of Black Public Administrators. Tracking candidate demographic data helps us proactively recruit traditionally underrepresented candidates for senior management positions in local government. We welcome feedback from our clients and candidates, using post-recruitment surveys to refine our processes and outcomes.

Project Personnel

Lynn Barboza, Senior Vice President

LynnBarboza@GovernmentResource.com

Cell: 702-423-2905



Lynn began her public sector career with the City of Las Vegas (NV) in November of 1990. Throughout her 27-year tenure with the City, she was promoted to increasingly responsible positions in different operational areas including the City Manager’s Office, the City Council Office and Human Resources. She spent the last 5+ years of her time with the City managing the Talent Acquisition team.

Lynn earned her Bachelor of Science degree in Workforce Education from the University of Nevada Las Vegas in 2011 and is a certified instructor for InsideOut Coaching, True Colors (Leadership Style) and is also certified as a “Technology of Participation” facilitator. She is a member of SGR’s Leadership Development Team assisting with training development and delivery, as well as workshop facilitation for local government agencies throughout the U.S.

As an Executive Recruiter who has also been a hiring executive, Lynn brings the client perspective to her role at SGR, along with her experience managing the Talent Acquisition function for a large and progressive public sector agency. She works closely with clients to define the necessary qualifications and desired talents in prospective candidates who will meet their unique business challenges today and most importantly, in the future. Lynn is equally committed to her candidates; she is passionate about learning their story and helping them find the ideal next step in their career path.

Lynn has recruited for every discipline in the public sector, assisting smaller-sized cities/counties and large metropolitan organizations find the perfect addition to their leadership team. She has also recently diversified her skill set, venturing into the private sector and handling healthcare executive placements.

In her free time, Lynn is a volunteer Court Appointed Special Advocate (CASA) for abused and neglected children in the foster care system, an avid cyclist and proud mom of two beautiful daughters and two very special rescue dogs.

Approach and Methodology

A full-service recruitment typically entails the following steps:

- 1. Organization/Position Insight and Analysis**
 - Project Kickoff Meeting and Develop Anticipated Timeline
 - Stakeholder Interviews and Listening Sessions
 - Develop Recruitment Brochure
- 2. Recruitment Campaign and Outreach to Prospective Applicants**
 - Advertising and Marketing
 - Communication with Prospective Applicants
 - Communication with Active Applicants
- 3. Initial Screening and Review by Executive Recruiter**
- 4. Search Committee Briefing to Review Applicant Pool and Select Semifinalists**
- 5. Evaluation of Semifinalists**
 - Written Questionnaires
 - Recorded One-Way Semifinalist Interviews
 - Media Searches - Stage 1, as described below
- 6. Search Committee Briefing to Select Finalists**
- 7. Evaluation of Finalists**
 - Comprehensive Media Searches - Stage 2, as described below
 - Background Investigation Reports
 - DiSC Management Assessments (if desired, supplemental cost)
 - First Year Plan or Other Advanced Exercise
 - Press Release Announcing Finalists (if requested)
- 8. Interview Process**
 - Face-to-Face Interviews
 - Stakeholder Engagement (if desired)
 - Deliberations
 - Reference Checks (may occur earlier in process)
- 9. Negotiations and Hiring Process**
 - Determine Terms of an Employment Offer
 - Negotiate Terms and Conditions of Employment
 - Press Release Announcing New Hire (if requested)

Step 1: Organization/Position Insight and Analysis

Project Kickoff Meeting and Develop Anticipated Timeline

SGR will meet with the organization at the outset of the project to discuss the recruitment strategy and timeline. At this time, SGR will also request that the organization provide us with photos and information on the community, organization, and position to assist us in drafting the recruitment brochure.

Stakeholder Interviews and Listening Sessions

Stakeholder interviews and listening sessions are integral to SGR's approach. SGR devotes tremendous energy to understanding your organization's unique culture, environment, and goals to ensure you get the right match for your specific needs. Obtaining a deep understanding your organizational needs is the crucial foundation for a successful executive recruitment. In collaboration with the organization, SGR will compile a list of internal and external stakeholders to meet with regarding the position. These interviews and listening sessions will identify potential issues that may affect the dynamics of the recruitment and contribute to a comprehensive understanding of the position, special considerations, and the political environment. This process fosters organizational buy-in and will assist us in creating the position profile.

Develop Recruitment Brochure

After the stakeholder meetings, SGR will develop a recruitment brochure, which will be reviewed and revised in partnership with your organization until we are in agreement that it accurately represents the sought-after leadership and management attributes.

To view sample recruitment brochures, please visit:

<https://sgr.pub/OpenRecruitments>

Step 2: Recruitment Campaign and Outreach to Prospective Applicants

Advertising and Marketing

The Executive Recruiter and the client work together to determine the best ways to advertise and recruit for the position. SGR's Servant Leadership e-newsletter, with a reach of over 40,000 subscribers in all 50 states, will announce your position. Additionally, we will send targeted emails to opt-in subscribers of SGR's Job Alerts, and your position will be posted on SGR's website and Job Board. SGR provides a comprehensive social media marketing campaign that includes custom-made graphics and distribution on SGR's LinkedIn page. Furthermore, we will provide a recommended list of ad placements to be approved by the client, targeting the most effective venues for reaching qualified candidates for that particular position.

Communication with Prospective Applicants

SGR maintains regular communication with interested prospects throughout the recruitment process. Outstanding candidates often conduct thorough research on the available position before submitting their resumes.

As a result, we receive a significant number of inquiries, and it is crucial for the executive search firm to be well-prepared to respond promptly, accurately, and comprehensively, while also offering a warm and personalized approach. This initial interaction is where prospective candidates form their first impression of the organization, and it is an area in which SGR excels.

Communication with Active Applicants

Handling the flow of resumes is an ongoing and significant process. On the front end, it involves tracking resumes and promptly acknowledging their receipt. It also involves timely and personalized responses to any questions or inquiries. SGR maintains frequent communication with applicants to ensure they remain enthusiastic and well-informed about the opportunity. Additionally, SGR communicates with active applicants, keeping them informed about the organization and community.

Step 3: Initial Screening and Review by Executive Recruiter

SGR uses a triage process to identify high-probability, medium-probability, and low-probability candidates. This triage ranking is focused on overall assessment based on interaction with the applicant, qualifications, any known issues concerning previous work experience, and evaluation of cultural fit with the organization.

In contrast with the triage process mentioned above, which focuses on subjective assessment of the resumes and how the candidates present themselves, we also evaluate each candidate to ensure that the minimum requirements of the position are met and determine which preferred requirements are satisfied. This sifting process examines how well candidates' applications align with the recruitment criteria outlined in the position profile.

Step 4: Search Committee Briefing to Review Applicant Pool and Select Semifinalists

At this briefing, SGR will conduct a comprehensive presentation to the Search Committee and facilitate the selection of semifinalists. The presentation will include summary information on the process to date, outreach efforts, the candidate pool demographics, and any identified trends or issues. Additionally, a briefing on each candidate and their credentials will be provided.

Step 5: Evaluation of Semifinalists

The review of resumes is a crucial step in the executive recruitment process. However, resumes may not fully reveal an individual's personal qualities and their ability to collaborate effectively with others. In some instances, resumes might also tend to exaggerate or inflate accomplishments and experience.

At SGR, we understand the significance of going beyond the surface level of a resume to ensure that candidates who progress in the recruitment process are truly qualified for the position and a suitable match for the organization. Our focus is to delve deeper and gain a comprehensive understanding of the person behind the resume, identifying the qualities that make them an outstanding prospect for your organization.

During the evaluation of semifinalist candidates, we take the initiative to follow up when necessary, seeking clarifications or additional information as needed. This approach ensures that we present you with the most qualified and suitable candidates for your unique requirements. At SGR, our ultimate goal is to match your organization with individuals who possess not only the necessary qualifications but also the qualities that align with your organizational culture and values.

Written Questionnaires

As part of our thorough evaluation process, SGR will request semifinalist candidates to complete a comprehensive written exercise. This exercise is designed to gain deeper insight into the candidates' thought processes and communication styles. Our written instrument is customized based on the priorities identified by the Search Committee. The completed written instrument, along with cover letters and resumes submitted by the candidates, will be included in the semifinalist briefing book.

Recorded One-Way Semifinalist Interviews

Recorded one-way interviews, will be conducted for semifinalist candidates. This approach provides an efficient and cost-effective way to gain additional insights to aid in selecting finalists to invite for an onsite interview. The interviews allow the Search Committee to evaluate technological competence, demeanor, verbal communication skills, and on-camera presence. Additionally, virtual interviews provide an opportunity for the Search Committee to ask candidates questions on specific topics of special interest.

Media Searches - Stage 1

"Stage 1" of our media search process involves the use of the web-based interface Nexis Diligence™. This platform is an aggregated subscription-based platform that allows access to global news, business, legal, and regulatory content. These media reports at the semifinalist stage have proven helpful by uncovering issues that may not have been previously disclosed by prospective candidates. The recruiter will communicate any "red flags" or noteworthy media coverage to the Search Committee as part of the review of semifinalists with the Search Committee.

Step 6: Search Committee Briefing to Select Finalists

Prior to this briefing, SGR will provide the Search Committee with a briefing book on the semifinalist candidates via an electronic link. The briefing book includes cover letters, resumes, and completed questionnaires.

If applicable, a separate email with the link to view the recorded online interviews is sent to the Search Committee. The objective of this meeting is to narrow the list to finalists who will be invited to participate in onsite interviews.

Step 7: Evaluation of Finalists

Comprehensive Media Searches - Stage 2

“Stage 2” of our media search process includes the web-based interface Nexis Diligence™, supplemented by Google as an additional tool. By combining both resources, we offer an enhanced due diligence process to our clients, enabling efficient and thorough vetting of candidates and minimizing the risk of overlooking critical information. The Stage 2 media search consists of a more complex search, encompassing social media platforms, and has proven to be instrumental in identifying potential adverse news about the candidate that may not have been disclosed previously. The media search provides the Search Committee with an overview of the candidate’s press coverage throughout their career. View a sample media report at: <https://sgr.pub/SGRMediaReport>.

Background Investigation Reports

Through SGR’s partnership with a licensed private investigation firm, we are able to provide our clients with comprehensive background screening reports that include the detailed information listed below. View a sample background report at: <https://sgr.pub/SGRBackgroundReport>.

- Social security number trace
- Address history
- Driving record (MVR)
- Federal criminal search
- National criminal search
- Global homeland security search
- Sex offender registry search
- State criminal court search for states where candidate has lived in previous 10 years
- County wants and warrants for counties where candidate has lived or worked in previous 10 years
- County civil and criminal search for counties where candidate has lived or worked in previous 10 years
- Education verification
- Employment verification for previous 10 years (if requested)
- Military verification (if requested)
- Credit report (if requested)

DiSC Management Assessments (if desired, supplemental cost)

SGR utilizes the DiSC Management assessment tool, which is among the most validated and reliable personal assessment tools available. The DiSC Management assessment provides a comprehensive analysis and report on the candidate’s preferences in five crucial areas: management style, directing and delegating, motivation, development of others, and working with their own manager. View a sample report at: <https://sgr.pub/SGRDiSCReport>.

For assessments of more than two candidates, a DiSC Management Comparison Report is included, offering a side-by-side view of each candidate's preferred management style. View a sample comparison report at: <https://sgr.pub/SGRDiSCCompare>.

First-Year Plan or Other Advanced Exercise

SGR will collaborate with your organization, if desired, to create an advanced exercise for the finalist candidates. One such example is a First-Year Plan, where finalist candidates are encouraged to develop a first-year plan based on their current understanding of the position's opportunities and challenges. Other exercises, such as a brief presentation on a topic to be identified by the Recruiter and Search Committee, are also typically part of the onsite interview process to assess finalists' communication and presentation skills, as well as critical analysis abilities.

Step 8: Interview Process

Face-to-Face Interviews

SGR will arrange interviews at a date and time convenient for your organization. This process can be as straightforward or as elaborate as your organization desires. SGR will aid in determining the specifics and assist in developing the interview schedule and timeline. We will provide sample interview questions and participate throughout the process to ensure it runs smoothly and efficiently.

Stakeholder Engagement

At the discretion of the Search Committee, we will closely collaborate with your organization to involve community stakeholders in the interview process. Our recommendation is to design a specific stakeholder engagement process after gaining deeper insights into the organization and the community. As different communities require distinct approaches, we will work together to develop a tailored approach that addresses the unique needs of the organization.

Deliberations

SGR will facilitate a discussion about the finalist interviews and support the Search Committee in making a hiring decision or determining whether to invite one or more candidates for a second interview.

Reference Checks

SGR uses a progressive and adaptive automated reference check system to provide insights on candidates' soft skills from a well-rounded group of references. References may include elected officials, direct supervisors, direct reports, internal organizational peers, professional peers in other organizations, and civic leaders. SGR's reference check platform is anonymous, proven to encourage more candid and truthful responses, thus providing organizations with more meaningful and insightful information on candidates. SGR delivers a written summary report to the organization once all reference checks are completed. The timing of reference checks may vary depending on the specific search process and situation. If finalists' names are made public prior to interviews, SGR will typically contact references before the interview process. If the finalists' names are not made public prior to interviews, SGR may wait until the organization has selected its top candidate before contacting references to protect candidate confidentiality.

Step 9: Negotiations and Hiring Process

Determine Terms of an Employment Offer

Upon request, SGR will provide draft employment agreement language and other helpful information to aid in determining an appropriate offer to extend to your preferred candidate.

Negotiate Terms and Conditions of Employment

SGR will assist to whatever degree you deem appropriate in conducting negotiations with the chosen candidate. SGR will identify and address any special needs or concerns of the selected candidate, including potential complicating factors. With our experience and preparedness, SGR is equipped to facilitate win-win solutions to resolve negotiation challenges.

Press Release (if requested)

Until employment negotiations are finalized, you should exercise caution to avoid the embarrassment of a premature announcement that may not materialize. It is also considered best practice to notify all senior staff and unsuccessful candidates before any media exposure. SGR will assist in coordinating this process and in crafting any necessary announcements or press releases.

Satisfaction Surveys

SGR is committed to following the golden rule, which means providing prompt, professional and excellent communication while always treating every client with honor, dignity and respect. We request clients and candidates to participate in a brief and confidential survey after the completion of the recruitment process. This valuable feedback assists us in our ongoing efforts to improve our processes and adapt to the changing needs of the workforce.

Post-Hire Services

We offer post-hire services, such as executive coaching, team-building retreats, and performance review assistance at the six-month or one-year mark. For more information or to request a customized proposal, please visit <https://www.governmentresource.com/leadership-development-training-resources>.

Typical Timeline *

The timeline below is an example only, and we will work with you to finalize and approve a timeline, with adjustments made if needed after the position is posted.

Initial Steps Prior to Posting Position:	
<ul style="list-style-type: none"> Contract Execution Kickoff Meeting to Discuss Recruitment Strategy and Timeline Organization/Position Insight and Analysis Stakeholder Interviews and Listening Sessions Deliverable: Draft Recruitment Brochure Deliverable: Recommended Ad Placements Organization Approves Ad Placements Search Committee Reviews and Approves Brochure 	<i>Timing varies and usually takes a minimum of 2-3 weeks.</i>

Task	Week
<ul style="list-style-type: none"> Post Position and Firm up Timeline Recruitment Campaign and Outreach to Prospective Applicants Initial Screening and Review by Executive Recruiter 	Weeks 1-4
<ul style="list-style-type: none"> Search Committee Briefing to Review Applicant Pool and Select Semifinalists 	Week 5
<ul style="list-style-type: none"> Questionnaires Recorded One-Way Semifinalist Interviews Media Searches - Stage 1, as described in Approach/Methodology 	Week 6
<ul style="list-style-type: none"> Deliverable: Semifinalist Briefing Books via Electronic Link Deliverable: Recorded Online Interviews, if applicable 	Week 7
<ul style="list-style-type: none"> Search Committee Briefing to Select Finalists 	Week 8
<ul style="list-style-type: none"> Comprehensive Media Searches - Stage 2, as described in Approach/Methodology Background Investigation Reports Disc Management Assessments (if desired, supplemental cost) First-Year Plan or Other Advanced Exercise (if desired) 	Weeks 9-10
<ul style="list-style-type: none"> Deliverable: Finalist Briefing Books via Electronic Link 	Week 11
<ul style="list-style-type: none"> Face-to-Face Interviews Stakeholder Engagement (if desired) Deliberations Reference Checks (may occur earlier in process) Negotiations and Hiring Process 	Week 12

** Timeline is dependent upon Search Committee availability and Holidays. Organization agrees to timely provide photos/graphics and information necessary to develop recruitment brochure, narrow candidate field, and conduct candidate screening; failure to do so, may in SGR's reasonable discretion, extend timeline and can negatively impact the outcome of the process.*

Fee Proposal

Not-to-Exceed Price: \$31,900

Not-to-Exceed Price is comprised of:

- **Fixed Fee of \$29,400**
- **Up to \$2,500 in Ad Placements (billed at actual cost)**

The Fixed Fee includes:

- Stakeholder Interviews and Listening Sessions
- Production of a Professional Recruitment Brochure
- Recruitment Campaign and Outreach:
 - Outreach to Prospective Applicants
 - Custom Graphics for Email and Social Media Marketing
 - Announcement in SGR's Servant Leadership e-Newsletter
 - Post on SGR's Website
 - Ad on SGR's Job Board
 - Two (2) Targeted Job Blasts to SGR's Opt-In Subscriber Database
 - Promotion on SGR's LinkedIn
- Application Management, Screening, and Evaluation
- Semifinalist Evaluation:
 - Questionnaires for up to 15 Semifinalists
 - Recorded One-Way Interviews for up to 15 Semifinalists
 - Media Searches – Stage 1 Reports for up to 15 Semifinalists
- Semifinalist Briefing Books via Electronic Link
- Comprehensive Stage 2 Media Reports for up to Five (5) Finalists
- Background Investigation Reports for up to Five (5) Finalists
- Finalist Briefing Books via Electronic Link
- Reference Checks for up to Five (5) Finalists
- Two (2) Onsite Visits by the Recruiter for 1-3 days each, Inclusive of Travel Costs

Reimbursable Expenses NOT included in the not-to-exceed price:

- Ad placements up to \$2,500 will be billed at the actual cost with no markup for overhead and are incorporated into our not-to-exceed price. Ad placements over and above \$2,500 will be billed back at actual cost with no markup for overhead.

Supplemental Services/Other Expenses not included in the fixed or not-to-exceed price:

- Ad placements over and above \$2,500 will be billed back at actual cost with no markup for overhead.
- There may be additional charges for substantial and substantive changes made to the recruitment brochure after the brochure has been approved by the Organization and the position has been posted online. Organization would be notified of any supplemental costs prior to changes being made.
- At your request, SGR can conduct an online stakeholder survey for \$1,000 to help identify key issues or priorities that you may want to consider prior to launching the search. SGR provides recommended survey questions and sets up an online survey. Stakeholders are directed to a web page or invited to take the survey by email. A written summary of results is provided to the Organization. Please note that this type of survey may extend the recruitment timeline.
- Online interviews over and above the 15 included in the Fixed Fee - \$250 per candidate.
- Additional comprehensive stage 2 media reports over and above the maximum of five (5) included in the fixed price above - \$750 per candidate.
- Additional background investigation reports over and above the maximum of five (5) included in the fixed price above - \$500 per candidate.
- Additional reference checks over and above the maximum of five (5) included in the fixed price above - \$250 per candidate.
- DiSC Management assessments - \$175 per candidate.
- Semifinalist and finalist briefing materials will be provided to the Organization via an electronic link. Should the Organization request printing of those materials, the reproduction and shipping of briefing materials will be outsourced and be billed back at actual cost.
- Additional onsite visits by the recruiter over and above the two (2) onsite visits included in the fixed price are an additional cost. Travel time and onsite time are billed at a professional fee of \$1,000 per day. Meals are billed back at a per diem rate of \$15 for breakfast, \$20 for lunch, and \$30 for dinner. Mileage will be reimbursed at the current IRS rate. All other travel-related expenses are billed back at actual cost with no markup for overhead.
- The organization bears the cost of candidate travel, and candidates are reimbursed directly by the organization.
- If the organization desires any supplemental services not mentioned in this fee proposal, an estimate of the cost will be provided at that time, and no work shall be done without approval.

Billing

SGR will bill the fixed fee in four (4) installments: 30% upon contract execution, 30% after the applicant pool is presented, 30% after finalist interviews, and 10% upon acceptance of employment. Ad placement expenses and supplemental services/other expenses will be billed as incurred or provided.

Terms and Conditions

- The organization agrees not to discriminate against any candidate on the basis of age, race, creed, color, religion, sex, sexual orientation, national origin, disability, marital status, or any other basis that is prohibited by federal, state, or local law.
- The organization agrees to refer all prospective applicants to SGR and not to accept applications independently during the recruitment process.
- The organization agrees to provide SGR with any candidates that were previously accepted as applicants for the given position before engaging SGR to conduct the recruitment for the subject position.
- If the organization wishes to place ads in local, regional, or national newspapers, the organization shall be responsible for paying directly for the ads and for placing the ads using language provided by SGR.
- The organization bears the cost of candidate travel, and candidates are reimbursed directly by the organization.

Placement Guarantee

SGR is committed to your satisfaction with the results of our full service recruitment process. If, for any reason, you are not satisfied, we will repeat the entire process one additional time, and you will be charged only for expenses as described in the Fee Proposal under Supplemental Services. Additionally, we promise not to directly solicit any candidate selected under this engagement for another position while they are employed with your organization.

In the event that you select a candidate fully vetted by SGR, who subsequently resigns or is released for any reason within 12 months of their hire date, we are committed to conducting a one-time additional executive search to identify a replacement. In this case, you will only be charged for related expenses as described in the Fee Proposal.

If your organization circumvents SGR's recruitment process and selects a candidate who did not participate in the full recruitment process, the placement guarantee will be null and void. Additionally, SGR does not provide a guarantee for candidates placed as a result of a partial recruitment effort or limited scope recruitment.

City/Town Management Recruitments, 2018-Present

In Progress

- Brunswick, Maine (pop. 16,000) - Town Manager
- Coffeyville, Kansas (pop. 9,000) - City Manager
- Duncan, Oklahoma (pop. 23,000) - City Manager
- DuPont, Washington (pop. 10,000) - City Administrator
- Edwardsville, Kansas (pop. 4,700) - City Manager
- Kilgore, Texas (pop. 14,000) - City Manager
- Leander, Texas (pop. 67,000) - City Manager
- Marysville, Kansas (pop. 3,500) - City Administrator
- Moberly, Missouri (pop. 14,000) - City Manager
- Orono, Maine (pop. 10,000) - Town Manager
- Topeka, Kansas (pop. 125,000) - City Manager

2023

- Camp Verde, Arizona (pop. 12,000) - Town Manager
- Cleburne, Texas (pop. 33,000) - City Manager
- Bristol, Tennessee (pop. 27,000) - City Manager
- Dobbs Ferry, New York (pop. 11,000) - Village Administrator
- Gatesville, Texas (pop. 16,000) - City Manager
- Glastonbury, Connecticut (pop. 35,000) - Town Manager
- Great Bend, Kansas (pop. 15,000) - City Administrator
- Justin, Texas (pop. 5,000) - City Manager
- Lafayette, Colorado (pop. 30,000) - City Administrator
- Laredo, Texas (pop. 256,000) - City Manager
- Largo, Florida (pop. 84,000) - City Manager
- Lawton, Oklahoma (pop. 90,000) - City Manager
- Mexia, Texas (pop. 7,000) - City Manager
- Nassau Bay, Texas (pop. 5,000) - City Manager
- Navajo County, Arizona (pop. 106,000) - County Manager
- Ottawa, Kansas (pop. 12,500) - City Manager
- Parker, Arizona (pop. 3,500) - Town Manager
- Rowlett, Texas (pop. 68,000) - City Manager
- Shawnee, Kansas (pop. 69,000) - City Manager
- Snoqualmie, Washington (pop. 14,000) - City Administrator
- Snyder, Texas (pop. 11,000) - City Manager

- Stillwater, Oklahoma (pop. 48,000) - City Manager
- Trophy Club, Texas (pop. 13,000) - Town Manager
- Williston, North Dakota (pop. 29,000) - City Administrator

2022

- Aledo, Texas (pop. 5,500) - City Manager
- Blaine, Washington (pop. 6,000) - City Manager
- Crandall, Texas (pop. 4,000) - City Manager
- Dalhart, Texas (pop. 8,500) - City Manager
- Edinburg, Texas (pop. 100,000) - City Manager
- Frisco, Colorado (pop. 3,000) - Town Manager
- Graham, Texas (pop. 8,000) - City Manager
- Hutto, Texas (pop. 40,000) - City Manager
- Johnston, Iowa (pop. 24,000) - City Administrator
- Kennebunk, Maine (pop. 11,000) - Town Manager
- Kennedale, Texas (pop. 9,000) - City Manager
- Ketchikan, Alaska (pop. 8,000) - City Manager/Public Utilities General Manager
- Klamath Falls, Oregon (pop. 22,000) - City Manager
- Leawood, Kansas (pop. 34,000) - City Administrator
- Levelland, Texas (pop. 14,000) - City Manager
- Live Oak, Texas (pop. 16,000) - City Manager
- Madisonville, Texas (pop. 4,500) - City Manager
- Manor, Texas (pop. 15,000) - City Manager
- Marshall, Texas (pop. 23,000) - City Manager
- Mineral Wells, Texas (pop. 15,000) - City Manager
- Mont Belvieu, Texas (pop. 8,000) - City Manager
- Montgomery, Texas (pop. 2,400) - City Administrator
- Nassau Bay, Texas (pop. 5,000) - City Manager
- Parkville, Missouri (pop. 7,000) - City Administrator
- Rocky Hill, Connecticut (pop. 21,000) - Town Manager
- Sunnyvale, Texas (pop. 8,000) - Town Manager
- Tolland, Connecticut (pop. 15,000) - Town Manager
- Walla Walla, Washington (pop. 34,000) - City Manager
- West Lake Hills, Texas (pop. 3,000) - City Administrator
- Wethersfield, Connecticut (pop. 26,000) - Town Manager
- Wickenburg, Arizona (pop. 7,500) - Town Manager

2021

- Bainbridge Island, Washington (pop. 25,000) - City Manager
- Breckenridge, Texas (pop. 5,000) - City Manager
- Bridgeport, Texas (pop. 6,500) - City Manager
- Briarcliff Manor, New York (pop. 8,000) - Village Manager
- Chandler, Arizona (pop. 270,000) - City Manager
- Chanhassen, Minnesota (pop. 27,000) - City Manager
- Chickasha, Oklahoma (pop. 16,000) - City Manager
- Choctaw, Oklahoma (pop. 12,000) - City Manager
- Clermont, Florida (pop. 44,000) - City Manager
- Flower Mound, Texas (pop. 79,000) - Town Manager
- Johnson City, Tennessee (pop. 65,000) - City Manager
- Kennett Square, Pennsylvania (pop. 6,000) - Borough Manager
- Lago Vista, Texas (pop. 8,000) - City Manager
- Lamar, Colorado (pop. 7,500) - City Administrator
- Monett, Missouri (pop. 9,000) - City Administrator
- North Port, Florida (pop. 77,000) - City Manager
- Port Chester, New York (pop. 30,000) - Village Manager
- Sherwood, Oregon (pop. 20,000) - City Manager
- Snoqualmie, Washington (pop. 14,000) - City Administrator
- Spokane, Washington (pop. 220,000) - City Administrator

2020

- Argyle, Texas (pop. 4,000) - Town Administrator
- Bay City, Texas (pop. 17,000) - City Manager
- Bedford, Texas (pop. 49,000) - City Manager
- Boerne, Texas (pop. 16,000) - City Manager
- Castroville, Texas (pop. 3,000) - City Administrator
- Clinton, Connecticut (pop. 13,500) - Town Manager
- Commerce, Texas (pop. 9,000) - City Manager
- Covington, Georgia (pop. 14,000) - City Manager
- DeSoto, Texas (pop. 56,000) - City Manager
- Duncanville, Texas (pop. 40,000) - City Manager
- Hutchinson, Kansas (pop. 42,000) - City Manager
- Hutto, Texas (pop. 30,000) - City Manager
- Iola, Kansas (pop. 5,500) - City Administrator
- Johns Creek, Georgia (pop. 84,000) - City Manager

- Joplin, Missouri (pop. 50,000) - City Manager
- Miami, Oklahoma (pop. 13,500) - City Manager
- Mission Hills, Kansas (pop. 3,500) - City Administrator
- Nacogdoches, Texas (pop. 33,000) - City Manager
- Santa Fe, Texas (pop. 13,000) - City Manager
- Tigard, Oregon (pop. 53,000) - City Manager
- Westworth Village, Texas (pop. 3,000) - City Administrator

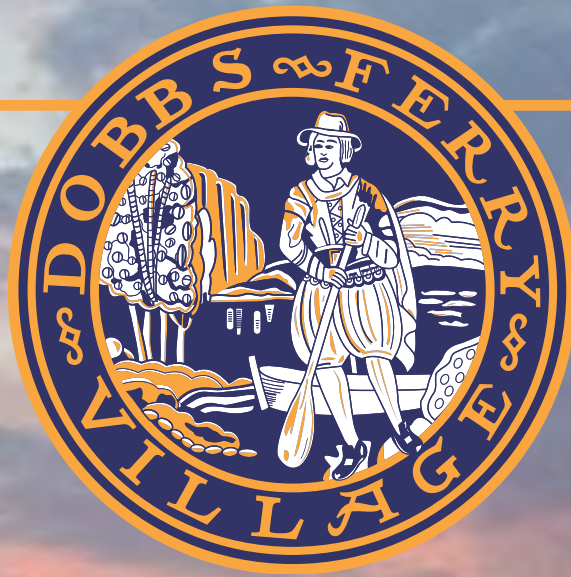
2019

- Blaine, Minnesota (pop. 65,000) - City Manager
- Bullard, Texas (pop. 4,000) - City Manager
- Campbell County, Wyoming (pop. 46,000) - Commissioners' Administrative Director/County Administrator
- Canyon, Texas (pop. 15,000) - City Manager
- Copperas Cove, Texas (pop. 34,000) - City Manager
- Killeen, Texas (pop. 145,000) - City Manager
- Kingsville, Texas (pop. 26,000) - City Manager
- Lamar, Colorado (pop. 7,500) - City Administrator
- Lenexa, Kansas (pop. 55,000) - City Manager
- Mineral Wells, Texas (pop. 15,000) - City Manager
- Orange, Texas (pop. 19,000) - City Manager
- Palm Coast, Florida (pop. 86,000) - City Manager
- South Windsor, Connecticut (pop. 26,000) - Town Manager
- Springfield, Oregon (pop. 62,000) - City Manager
- Terrell, Texas (pop. 17,000) - City Manager
- Tolland, Connecticut (pop. 15,000) - Town Manager
- Vail, Colorado (pop. 5,000) - Town Manager
- Venus, Texas (pop. 5,000) - City Administrator
- Victoria, Texas (pop. 67,000) - City Manager
- West Lake Hills, Texas (pop. 3,000) - City Administrator

2018

- Anna, Texas (pop. 14,000) - City Manager
- Bethany, Oklahoma (pop. 19,000) - City Manager
- Cameron, Missouri (pop. 10,000) - City Manager
- Clackamas County, Oregon (pop. 400,000) - County Administrator
- Clallam County, Washington (pop. 75,000) - County Administrator
- Coffeyville, Kansas (9,500) - City Manager

- Craig, Colorado (pop. 9,000) - City Manager
- Erie, Colorado (pop. 26,000) - Town Administrator
- Forney, Texas (pop. 19,000) - City Manager
- Freeport, Texas (pop. 12,000) - City Manager
- Fulshear, Texas (pop. 9,500) - City Manager
- Green Cove Springs, Florida (pop. 7,500) - City Manager
- Humble, Texas (pop. 15,000) - City Manager
- Jacksonville, Texas (pop. 14,000) - City Manager
- Jupiter, Florida (pop. 60,000) - Town Manager
- Lawton, Oklahoma (pop. 94,000) - City Manager
- Lebanon, Missouri (pop. 15,000) - City Administrator
- Lockhart, Texas (pop. 13,500) - City Manager
- Marshall, Texas (pop. 24,000) - City Manager
- Murfreesboro, Tennessee (pop. 130,000) - City Manager
- Nixa, Missouri (pop. 21,000) - City Administrator
- Paducah, Kentucky (pop. 25,000) - City Manager
- Pflugerville, Texas (pop. 60,000) - City Manager
- Plant City, Florida (pop. 38,000) - City Manager
- Riverside, Missouri (pop. 3,000) - City Administrator
- Smithville, Missouri (pop. 10,000) - City Administrator
- Springfield, Missouri (pop. 167,000) - City Manager
- Sunnyvale, Texas (pop. 6,500) - Town Manager
- West University Place, Texas (pop. 14,000) - City Manager
- Wethersfield, Connecticut (pop. 26,000) - Town Manager



VILLAGE ADMINISTRATOR

Dobbs Ferry, New York

EXECUTIVE
RECRUITMENT
PROVIDED BY





THE COMMUNITY

Dobbs Ferry is a historic riverfront Village boasting many assets, including the Hudson River waterfront, generous open spaces, tree-lined streets, a traditional downtown, and a hillside setting. Dobbs Ferry enjoys a unique location just 20 miles north of midtown Manhattan, situated on major train and bus lines. Together with an easily walkable downtown, these qualities make Dobbs Ferry a place residents can call home in a vibrant small-town community of 11,456 in 3.17 square miles.

Originally, Dobbs Ferry was inhabited by the Weckquaesgeeks, a branch of the Mohican tribe of the Algonquin nation. It was later colonized by Dutch and English settlers and played a vital role in the American Revolutionary War. In 1800, Dobbs Ferry was a simple rural village with farms, a tavern, a boat landing, and a ferry. In the 1820s, farmland was parceled into smaller tracts and sold, and steamboats transported goods and passengers to and from New York City.

By the 1840s, the railroad arrived to the Village, and the economy shifted from rural/agricultural to more service-oriented professionals. Wealthy merchants moved to the Village from New York City, purchasing land and building manor houses high on the hills with spectacular views of the Hudson River. Construction and maintenance workers were employed to build and maintain these estates, as well as servants to work in these stately homes. Apartment buildings were built throughout the village to accommodate the influx of new residents. The Village was officially incorporated as Dobbs Ferry in 1873, named after Jeremiah Dobbs, whose family ran a ferry service that traversed the Hudson River at this location.

To this day, Dobbs Ferry remains one of the most diverse Villages along the Hudson River. The downtown area remains an eclectic mix of vibrant shops and eateries. The local residents are committed to their community as shown by their participation in robust recreation programs and civic involvement. Famed events in Dobbs Ferry include the Ferry Festa, Memorial Day Parade, Summer Concert Series at the Waterfront, Independence Day Picnic and Fireworks, Historical Society Road to Freedom March, Main Street Trick or Treating and Field of Screams, Holiday Tree and Menorah Lighting, and more. In 2023, Dobbs Ferry is turning 150 years old! A New Year's Eve Ball Drop event kicked off the celebration and more events are scheduled throughout the year.

Through the years many famous people called Dobbs Ferry home, including, Mother Cabrini (Roman Catholic saint), actress Sarah Jessica Parker, professional athletes Mark Blount and Eric Pascall, and Facebook founder Mark Zuckerberg. Attractions in and around Dobbs Ferry include Waterfront Park, Old Croton Aqueduct State Historic Park, Tarrytown Music Hall, Sleepy Hollow Cemetery, Yonkers Raceway and Casino, Westchester Broadway Theatre, and more.



THE COMMUNITY, CONTINUED

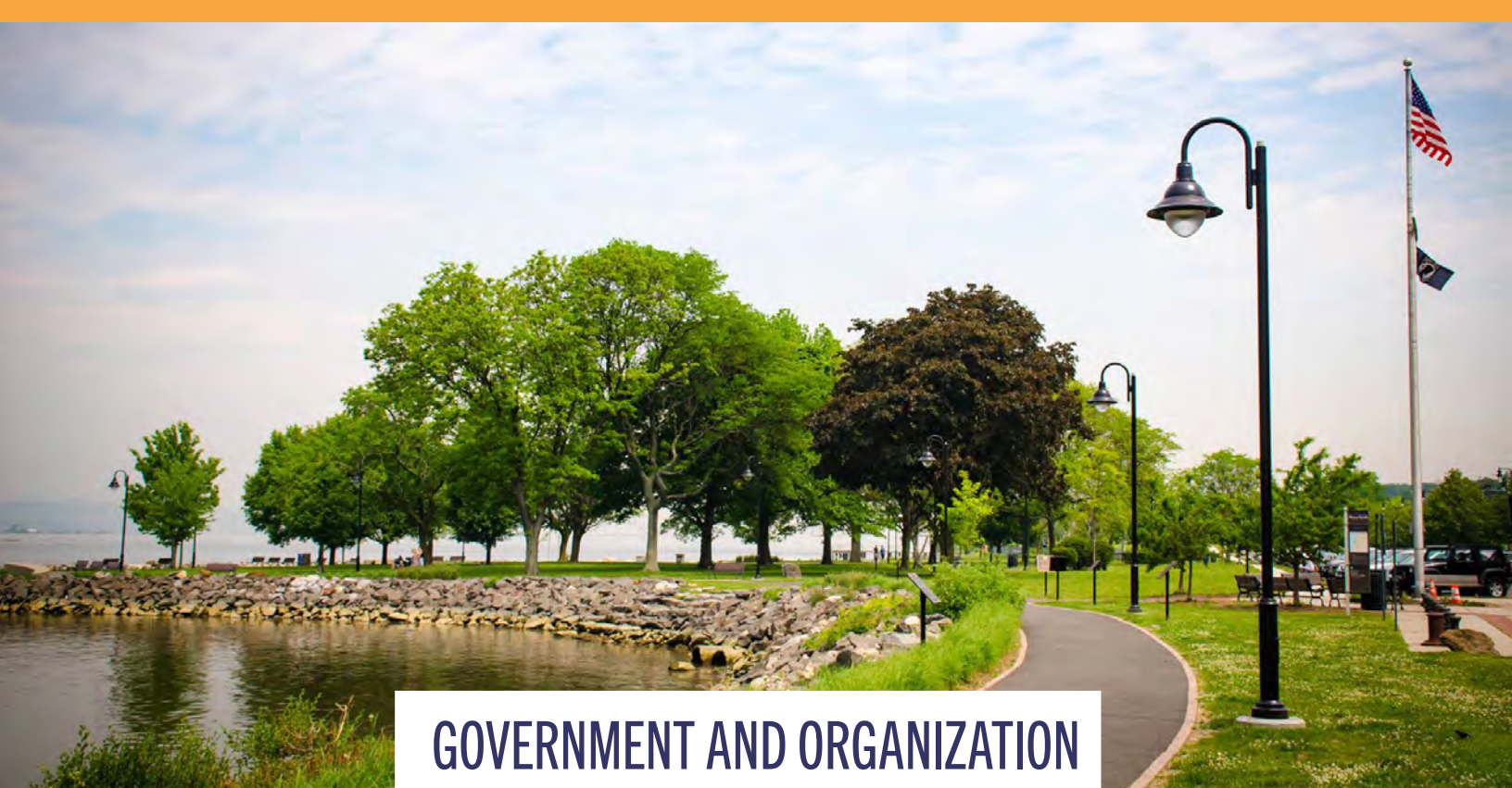
High profile major developments underway or recently completed include Rivertowns Square, Chauncey Square, Cedar Commons, Embassy Center, Village Hall energy upgrades, and Gould Park Swimming Pool and Playground.

Recent awards include the AAA Traffic Safety Award Gold in 2020, Silver in 2021, and Gold in 2022. The Police Department is a NYS Division of Criminal Justice Services Accredited Agency, continuously from 1994 to present. The Department is currently working on advanced national CALEA accreditation, with anticipated accomplishment in 2024. Dobbs Ferry was certified as a bronze Climate Smart Community in 2009, and more recently was named a Clean Energy Community.

Major employers in the area include Mercy College, Dobbs Ferry Union Free School District, the Masters School, Children’s Village, St. Christopher’s, St. John’s Riverside Hospital, and St. Cabrini Nursing Home.

Dobbs Ferry has a median household income of \$136,204 with an average home value of \$646,300.





GOVERNMENT AND ORGANIZATION

Dobbs Ferry is governed by an elected Board of Trustees. The Board of Trustees is composed of the Mayor and six Trustees, all of whom are elected at large for two year terms. There are no term limits. The Mayor appoints a Trustee to serve as Deputy Mayor.

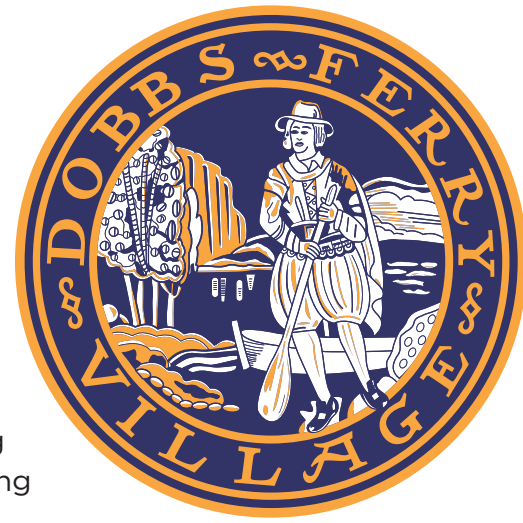
The Board of Trustees is responsible for the management of the Village. To fulfill its mandate, they convene at Village Hall for regularly scheduled public meetings to conduct the Village's business. Village Law of the State of New York provides local elected officials broad statutory powers. The Board of Trustees is authorized to appoint officials to administer its policies, enforce laws, manage the organization and its assets, and provide essential services. The Village Board adopts the Village's annual operating and capital budgets, sets administrative fees and charges, adopts local legislation, authorizes the execution of contracts, appoints personnel, and approves the expenditures of funds.

Key officials who are appointed by the Village Board include the Village Administrator, Village Clerk, Village Treasurer, Police Chief, and members of other municipal boards and commissions. Other personnel are appointed by the Village Board upon the advice and recommendation of the Village Administrator. There are approximately 70 full-time and 38 part-time employees serving the Village of Dobbs Ferry. Many employees in full-time positions are represented by labor unions that collectively bargain their terms and conditions of employment.

Dobbs Ferry's annual budget consists of three funds: General, Library and Sewer. The largest is the General Fund with appropriations in excess of \$21.2 million.

Municipal services provided by the Village include refuse collection, police and fire services, maintenance of complete streets and public works infrastructure, parks, water and sewer services, intergenerational recreational programs, library services, code and building enforcement, community planning, and local justice court administration.

ABOUT THE POSITION



In accordance with the authority vested in this position as set forth in the Village Code, the Village Administrator serves as chief administrative officer of Dobbs Ferry, who directs, supervises, and coordinates the administration of all municipal operations. This position is responsible for implementing the goals of the Board of Trustees while leading and directing staff, ensuring financial stability through fostering sound financial management practices and operational efficiencies, facilitating strategic planning for future growth and development, and maintaining the Village's commitment to providing high quality service.

Responsibilities include establishing rules and regulations to manage the personnel policies of the Village, ensuring compliance with all labor agreements for applicable employees, and overseeing and coordinating personnel practices and the work of all Village employees. The Village Administrator also attends all meetings of the Board of Trustees and supervises the preparation of the agenda and minutes for such meetings. Duties of the position also include the enforcement of rules, regulations, ordinances, and local laws, including those contained in the Village Code, and keeping Village residents fully informed of Board policies, procedures, and plans for the delivery of services and for capital projects.

As budget officer, the Village Administrator ensures coordination with the Treasurer and Department Heads to prepare and submit to the Board of Trustees a tentative annual budget and capital program for the next fiscal year. The Administrator also ensures that rules of procurement are followed and budget appropriations are not exceeded, and is responsible for the preparation of all bid specifications, and keeping the Board of Trustees fully informed on all matters, including the Village's current financial condition and future monetary needs for projected operational and capital projects.

Other duties of the role include keeping the Board of Trustees and appropriate Village officials advised of pending federal, state, and county legislation and the availability of any applicable grants-in-aid from higher levels of government. As the Village's CAO, the Administrator will make recommendations of measures deemed necessary or expedient in furtherance of the health, safety, and welfare of village residents through the improvement of administrative services and otherwise, ensuring that, within the Village, the laws of the state and the rules, regulations, ordinances, local laws and codes of the Village are faithfully executed and administered efficiently and fairly.

CHALLENGES AND OPPORTUNITIES

The Village Board has identified the need to prioritize capital planning for the repair and replacement of aging infrastructure.

The Village Board and its new Administrator will also be collaborating to identify and prioritize strengths and weaknesses in operations in an effort to achieve organizational goals pertaining to community resiliency, smart growth, the custodial care of public assets, and to gain efficiencies within services and operations.

IDEAL CANDIDATE

The Village of Dobbs Ferry seeks an articulate, confident, and strong leader who can encourage and facilitate consensus to serve as its next Village Administrator. The ideal candidate is a professional team leader with outstanding communication skills and acquired knowledge of local government administration. Experience with developing municipal operating and capital budgets, managing human resources, participating in labor negotiations, and information technology is desired.

The ideal candidate will possess strong personal qualities such as authenticity, integrity, and empathy, as well as natural motivational skills to inspire and support the entire organization. The successful candidate would have professionally acquired both the knowledge and experience to engage and work cooperatively and collaboratively with all employees, officials, volunteers, and key consultants. Accordingly, the Village Administrator should have foundational knowledge of New York State municipal laws and civil service rules and regulations in order to competently manage the affairs of the Village and understand the risks inherent to public sector corporations.

The chosen Village Administrator will be approachable, responsive, and accessible to the governing board, committees, staff, and to the Dobbs Ferry community at large. They will be an exceptional communicator and team builder, who readily and enthusiastically engages staff for ideas, feedback, and collaborative planning. The ideal candidate is someone who is tactful, poised, and able to stay centered when challenged. They will have experience working with an active and engaged governing board and community. They will be able to analyze and assess operations, issues, and policy impacts from numerous vantage points in the context of the big picture, maintaining fact-based situational awareness of events and externalities impacting the Village.

Attributes of the ideal candidate include the ability to:

- Multitask and prioritize competing needs and projects to keep programs and projects on time and on budget.
- Invite and solicit feedback, welcoming advice and suggestions.
- Support and encourage the professional growth and development of Village employees.
- Support operational efficiencies and direct resources to inefficiencies.
- Commit to high-performance standards by implementing best practices to guide efforts, contain costs, and improve services and quality of work.
- Earn trust and respect necessary to team-build and to motivate the team to operationally excel.
- Establish formal and informal channels of communication that ensure information is timely and appropriately directed throughout the organization.
- Integrate and support the work of volunteer and ad hoc committees to achieve their missions and goals.
- Maintain and develop positive intergovernmental relationships with state, county, and local government peers.
- Be approachable, tactful, poised, even-tempered, and centered at all times.
- Delegate work in a manner that aligns the Village's resources and functional capacity.
- Maintain a workplace culture that espouses the highest leadership values and ethical standards.



EDUCATION AND EXPERIENCE

Candidates must have a bachelor's degree (BA/BS) and a minimum of five years of managerial experience in local government, preferably in a similar role in New York State and in a community of similar size and organizational complexity. Preference will be given to candidates who have obtained a master's degree in public administration or a related discipline. Residency within the State of New York or any County adjoining Westchester is required.

COMPENSATION AND BENEFITS

The Village of Dobbs Ferry offers a competitive salary range of \$170,000-\$190,000 annually commensurate with qualifications and experience. The Village participates in the New York State Retirement System and offers a full range of insurance, leave, and other benefits. A car allowance is also provided.

APPLICATION PROCESS

[Please apply online](#)

First review of applications: April 17, 2023

For more information on this position contact:

Patti Dwyer, Sr. Vice President

PattiDwyer@GovernmentResource.com

914-774-0849



The Village of Dobbs Ferry is an Equal Opportunity Employer and is fully committed to maintaining a workplace free of discrimination and harassment based on race, gender, gender identity, gender expression, religion, creed, age, color, national origin, disability, veteran's status, sexual orientation, and other non-merit factors. All persons applying for employment and employed by the Village of Dobbs Ferry shall be afforded equal employment opportunity.

RESOURCES

Village of Dobbs Ferry

<https://www.dobbsferry.com/>

Office of the Village Administrator

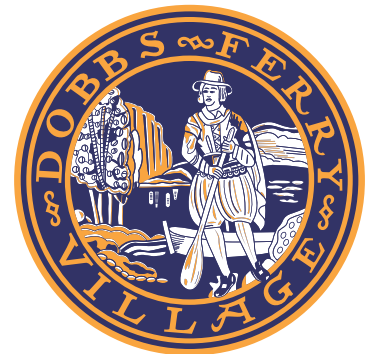
<https://www.dobbsferry.com/village-administrator>

Rivertowns Chamber of Commerce

<https://rivertownschamber.com/>

Dobbs Ferry Promotional Video

<https://tinyurl.com/y29v95f4>



**Agreement for Executive Recruitment Services ("PROJECT")
to Town of Canandaigua, New York ("CLIENT") between
CLIENT and Strategic Government Resources, Inc. ("SGR")**

SGR and CLIENT (together, "Parties") agree as follows, effective upon the date of the later signature below, in consideration of the mutual promises contained in this Agreement and other good and valuable consideration, the sufficiency of which each Party hereby acknowledges.

1. SGR promises and agrees:

- A. To perform the services described in SGR's Proposal for PROJECT dated December 15, 2023 ("PROPOSAL") substantially in the timeframe projected in the PROPOSAL.
- B. To honor the Placement Guarantee stated in the PROPOSAL.
- C. To comply with all applicable open records, public information and similar laws, and consult with CLIENT if SGR is asked for information before disclosure, unless prevented by court order or law from doing so.

2. CLIENT promises and agrees:

- A. To pay SGR promptly as billed or invoiced for such services in accordance with the amounts stated in PROPOSAL, including Reimbursable Expenses and costs of any Supplemental Services or Other Expenses that CLIENT selects. Balances that are unpaid after the payment deadline are subject to a fee of 5% per month or the maximum lawful rate, whichever is less, on the owed amount every month, charged monthly until the balance is paid.
- B. To timely provide photos/graphics and information necessary to develop recruitment brochure, narrow candidate field, and conduct candidate screening and interviews; failure to do so may, in SGR's reasonable discretion, extend timeline and can negatively impact the outcome of the process.
- C. To respond to drafts of documents and reports in a timely manner; failure to do so may, in SGR's reasonable discretion, extend timelines and can negatively impact the outcome of the process.
- D. To refer all prospective applicants to SGR and not to accept applications independently during the recruitment process.
- E. To provide legal opinions to SGR regarding when and if any information relating to the PROJECT must or should be released in accordance with public information laws or legal process.
- F. That if CLIENT receives an open records request, CLIENT shall notify and share the request with SGR in writing as soon as possible but within no more than three (3) business days of receipt and that CLIENT shall provide sufficient time for SGR to notify and provide advance notice to the impacted individuals prior to CLIENT releasing the required information with protected information redacted.
- G. To directly reimburse finalists for travel-related expenses relating to in-person interviews.
- H. That CLIENT is ultimately responsible for candidate selections and CLIENT will not discriminate against any candidate on the basis of age, race, creed, color, religion, sex, sexual orientation,

national origin, disability, marital status, or any other basis that is prohibited by federal, or applicable state, or local law.

- I. To comply with the Fair Credit Reporting Act.
- J. To cooperate with SGR to enable SGR to perform its obligations to CLIENT.

3. Additional Terms and Conditions:

- A. The PROPOSAL is incorporated herein for all purposes including all terms defined therein, but if there is any conflict or inconsistency between the terms or conditions of this Agreement, this Agreement controls.
- B. SGR may substitute personnel other than those initially placed, who have substantially equivalent training and experience and subject to approval of CLIENT, due to factors such as SGR employee/consultant turnover, developing needs of the PROJECT, or CLIENT's request.
- C. CLIENT grants SGR permission to use any name, logo, or other identifying mark of CLIENT in SGR's social media content to refer to the relationship established by this agreement.
- D. Remedies
 - i. CLIENT can terminate this agreement at any time for no reason upon giving SGR seven (7) days advance written notice of the termination date. In such an event, SGR shall be compensated for all work satisfactorily performed up to and through the termination date.
 - ii. SGR can terminate this agreement upon seven (7) days advance written notice of the termination date to CLIENT if CLIENT has failed to promptly pay in full any undisputed portion of any bill or invoice (if the dispute is in good faith) or has failed to perform its contractual promises in a manner that materially impedes SGR's ability to perform. In such an event, SGR shall be compensated for all work satisfactorily performed up to and through the termination date.
- E. CLIENT acknowledges that the nature of executive recruitment is such that SGR engages in discussions with prospects through the process who may or may not ultimately become a candidate, and that SGR is utilizing its proprietary network of relationships to identify and engage prospective candidates, and that premature release of such proprietary information, including names of prospective candidates with whom SGR may be having conversations as part of the recruitment process, may be damaging to the prospects, CLIENT, and SGR. Accordingly, CLIENT acknowledges and, to the extent permitted by law, agrees that all information related to this search is proprietary, and remains the property of and under the exclusive control of SGR, regardless of whether such information has been shared with CLIENT.
- F. There are no third-party beneficiaries to this Agreement.
- G. If any term or condition of this Agreement is invalidated by final judgment of a court of competent jurisdiction or becomes impossible to perform, the Parties will confer about whether to continue performance without amending the Agreement, without prejudice to either Party's right to terminate the Agreement without cause.
- H. This Agreement embodies the complete and final understandings, contract, and agreement between the Parties, superseding any and all prior written or verbal representations, understandings, or agreements pertaining to this PROJECT. This Agreement can be modified

only by signed written amendment. Electronic communications purporting to amend this Agreement will be effective only if the electronic communication includes specific reference to this Agreement or PROJECT.

- I. This Agreement will be governed by the substantive laws of the State of New York without regard to the jurisdiction's choice-of-law doctrines. Venue for any litigation relating to this Agreement will be exclusively in Ontario County of the State of New York.
- J. To the extent it may be permitted to do so by applicable law, CLIENT does hereby agree to defend, hold harmless, and indemnify SGR, and all officers, employees, and contractors of SGR, from any and all demands, claims, suits, actions, judgments, expenses, and attorneys' fees incurred in any legal proceedings brought against them as a result of action taken by SGR, its officers, employees, and contractors, providing the incident(s), which is (are) the basis of any such demand, claim, suit, actions, judgments, expenses, and attorneys' fees, arose or does arise in the future from an act or omission of SGR acting within the course and scope of SGR's engagement with CLIENT; excluding, however, any such demand, claim, suit, action, judgment, expense, and attorneys' fees for those claims or any causes of action where it is determined that SGR committed official misconduct, or committed a willful or wrongful act or omission, or an act or omission constituting gross negligence, or acted in bad faith. In the case of such indemnified demand, claim, suit, action, or judgment, the selection of SGR's legal counsel shall be with the mutual agreement of SGR and CLIENT if such legal counsel is not also CLIENT's legal counsel. A legal defense may be provided through insurance coverage, in which case SGR's right to agree to legal counsel provided will depend on the terms of the applicable insurance contract. The provisions of this paragraph shall survive the termination, expiration, or other end of this agreement and/or SGR's engagement with CLIENT.
- K. Notices related to this Agreement will go to the respective Parties as follows but either Party can change the addressee for notices to that Party by written notice to the other Party.
 - i. For the purposes of this Agreement, legal notice shall be required for all matters involving potential termination actions, litigation, indemnification, and unresolved disputes. This does not preclude legal notice for any other actions having a material impact on the Agreement.
 - ii. Any notice required be given by this Agreement shall be deemed to have been given within three (3) days of emailing or depositing in the mail.

Legal Notices:

SGR

Attn: Melissa Valentine, Corporate Secretary
PO Box 1642
Keller, TX 76244
Melissa@GovernmentResource.com

CLIENT

Attn: _____
Address: _____
Email: _____

PROJECT Representative:

SGR

Jeri J. Peters
President of Executive Recruitment
JPeters@governmentresource.com
817-337-8581

CLIENT

Name: _____
Title: _____
Email: _____
Phone: _____

Billing and Invoicing:

SGR

Attn: Finance
Finance@GovernmentResource.com
817-337-8581

CLIENT

Name: _____
Title: _____
Email: _____
Phone: _____

- L. Unless sooner terminated, this Agreement shall terminate at such time as the PROJECT is completed and the requirements of this Agreement are satisfied, except that duties of payment, of information disclosure, any representations and warranties, and placement guarantee survive this Agreement.
- M. The Parties and each individual who executes this Agreement on behalf of a Party represent and warrant to the other Party that as to each Party's respective signatory, that signatory is authorized by their Party to execute this Agreement and to bind their Party hereto.
- N. Time is of the essence to this Agreement.
- O. This Agreement may be executed in counterparts which together will comprise the Agreement.
- P. This Agreement is subject to appropriation of funds by CLIENT.

Strategic Government Resources, Inc.

CLIENT

Signature

Signature

Printed Name: Jeri J. Peters

Printed Name: _____

Title: President of Executive Recruitment

Title: _____

Date

Date



REQUEST FOR QUOTE: EXECUTIVE SEARCH CONSULTANT - TOWN MANAGER

Prepared For:
Town of Canandaigua

December 15, 2023



December 15, 2023

Lindsay Frarey
Town of Canandaigua
5540 Routes 5 & 20 West
Canandaigua, NY 14424

RE: REQUEST FOR QUOTES: EXECUTIVE SEARCH – TOWN MANAGER

Dear Lindsay:

With municipal leadership positions outpacing the pool of qualified candidates, recruiting proves to be a challenge. The Town of Canandaigua is making significant strides to create a remarkable quality of life for its residents. Qualified and experienced leadership will help guide the direction and goals of the Town. For years, the Town and MRB Group have enjoyed a successful partnership. MRB's leadership founded Swiftwater Strategies to support municipalities in a new way. We are familiar with Canandaigua as members of the Swiftwater team have served the community as internal and external resources for decades. We are already invested in the success of the Town and County and want to keep the momentum going by being your partner in identifying the next Town Manager.

What Sets Us Apart?

First-Hand Experience – Members of our team have served in municipal and elected roles. We understand the unique challenges of the position and know what questions to ask candidates to evaluate their abilities and understanding fully.

Current Knowledge – Swiftwater serves as the Interim Public Works Director in the Village of Newark and Interim Administrator in Hampton County, SC. Swiftwater's professionals also serve as financial consultants in the Towns of Orangeburg and Georgetown, SC. This work provides us with an understanding of conditions common to most municipalities.

Leadership Networks – Members of our team are involved with multiple associations geared to assist municipalities and have spent decades working in local government to establish key connections and expansive regional networks.

These factors provide Swiftwater with current knowledge and information for the challenges and opportunities unique to the position. This understanding allows us to vet the candidates properly and look within our team's network of municipal leaders to identify those who might be a good fit and encourage them to consider the opportunity. The Town can feel confident in selecting a Town Manager because of the many screenings, assessments, and checks of each final round candidate Swiftwater conducts.



We are pleased to submit our qualifications to the City of Canandaigua. We look forward to growing our partnership and helping you achieve your goals. We appreciate your consideration in furthering our historical relationship.

Sincerely,

A handwritten signature in cursive script that reads 'Heather Simmons Jones'.

Heather Simmons Jones
Vice President

A handwritten signature in cursive script that reads 'Greg Hotaling'.

Greg Hotaling, P.E.
Senior Project Manager

BACKGROUND



Office Location:
145 Culver Road, Suite 160
Rochester, NY 14620
585-381-9250



Senior MRB Group leaders founded Swiftwater Strategies (Swiftwater) to meet a growing need for support and professional leadership among organizations seeking ways to strengthen themselves and increase their competitive advantage. Swiftwater Strategies helps good organizations achieve greatness.

In today's challenging economic environment, the most successful organizations are those that adapt and evolve. This evolution involves strategic analysis and decision-making that can discern the difference between effectiveness and merely maintaining the status quo.

Too many organizations succumb to a daily regimen placing the primary focus on survival. The result is a myopic view. The lack of vision toward the future and its potential often leads to organizational stagnation.

Opportunities for growth and support of the mission pass by. The founders of Swiftwater joined together to change that pattern for organizations ready to embrace their potential.

Worthy organizations can't succeed on the merits of their mission alone. To excel and deliver the most robust services, successful organizations

need targeted support that supplements the skills of their core team. Swiftwater Strategies provides insight, innovation, thought leadership, strategic planning, and a proven track record of results that support organizations and empower them to succeed.

Swiftwater team members are an elite group of leaders, each recognized for professional achievement. They are experts in their fields and renowned for their accomplishments. Individually, they are powerful and dynamic strategists and creators. Together they form an unstoppable team of achievers.

The Swiftwater team hones in on the unique needs of an organization. Our combined expertise and leadership include key areas such as organizational management, city and county operations, public engagement, marketing and campaign strategies, and motivational human resources management, including policy development, executive search, and organizational assessment. Our team members work within an organization, shoulder to shoulder with board members and staff. Team members share strategies and target what is needed to increase management capacity, refocus and re-energize the organization, and strengthen its capabilities to exceed goals and fulfill its mission.

OVERVIEW

Our team is comprised of varying experiences in municipal leadership, particularly in New York and South Carolina. Swiftwater Strategies possesses direct knowledge of the multiple skills needed to be a successful municipal leader. Having this understanding allows us to identify not just the candidate who has the skills but who also has the ability to perform the job.

WHAT MAKES US DIFFERENT?

Team Experience - Heather Simmons Jones and Katie McFarland have worked on several executive searches seamlessly establishing a consistent cadence. Each brings their individual talents to create a solid team working as an extension of the community or organization. This cohesion allows the team to often work with aggressive timelines on behalf of the organization.

Client Manager Greg Hotaling has served as the Town's Engineer since 2005. Greg is uniquely aware of where the Town is at and where it's going. He has worked closely with much of the leadership and is familiar with the capital projects lined up that Town wants to see moved forward. His depth of knowledge will allow candidates to get a better understanding of the innerworkings of the Town. Additionally, his experience allows us to prepare well-formed questions to adequately gauge a candidate's level of understanding and thought process.

Project Manager Heather Simmons Jones is a former South Carolina County Administrator for Allendale County and currently serves as Interim County Administrator in Hampton County, SC. She understands the challenges and opportunities the administrator faces and she can effectively gauge an applicant's knowledge and understanding. Throughout her career, she has created a vast and expansive network of municipal leaders and professionals. Her understanding of the state provides keen insight to public administration. Her HR experience allows her to conduct a thorough and compliant search the community can feel confident about. Heather also served Anderson County as Assistant Administrator.

Expansive Networks - As a twenty-year local government leader, Matt Horn provides additional municipal experience and knowledge. He previously served as the City Manager of nearby Geneva. Matt currently works with numerous municipalities throughout New York State in an advisory capacity. His extensive network of municipal candidates expands that of Heather and other members of our Swiftwater municipal team for a broader range of candidates in the Northeast region.

Depth and Breadth of Experience - Behind the project team members, stands a deep bench of experience and knowledge. Many of the members of our staff served as former administrators, mayors, and municipal leaders. We can access this knowledge-base at any point for varying perspectives and experience, as well as to tap into their national networks.

They are excellent at sourcing very good candidates whether it is a regional, statewide or national search. The team is highly accurate in their interviewing, reference checks and any type of investigations that may be necessary to establish and verify key information.

-Jill Lewis, Florence County Progress, Chair

Experience

The experience of the team members spans several decades. Our combined experience and unique perspectives provide a comprehensive assessment of the candidates identified in a search. We are currently providing interim leadership services for multiple municipalities in South Carolina as highlighted below. Additionally, the following pages provide an overview of recent executive searches performed by the Swiftwater team including the scope, process, and results.

Current Projects

Village of Newark Interim Public Works Leadership/Recruitment

After experiencing turnover in the leadership for the Department of Public Works, the Village of Newark hired Swiftwater Strategies to provide interim leadership, advising, and executive search services to ensure the Village remained running efficiently during its period of transition. Swiftwater continues to support the Village by providing workload planning and management, capital project management, budget development and advisory services, personnel management, and recruiting new leadership candidates. Once a new superintendent is placed, Swiftwater will provide transition services to ensure a seamless process.

Hampton County Interim Leadership, Financial, and Organizational Assessment

The Hampton County Council contacted Swiftwater about assisting them during a transition period. They wanted to take this opportunity to gain a holistic look at the organization and identify where needs and opportunities existed. Swiftwater is currently on site in Hampton 40 hours per week providing interim County Administrator and CFO functions, as well as Planning Director and Engineering leadership and support. We are simultaneously conducting assessments of the finance department and organization. We are updating outdated information and will provide a summary report to the Council following these assessments. This information will aid the Council move the County closer to its goals and setting it on a track for success. When a new County Administrator is ultimately seated, we will provide transition assistance to ensure continuity and help maintain momentum. Recently, we began interviewing and filling vacancies in key leadership positions including deputy county administrators.

City of Orangeburg Finance Department Training and CFO Transition Assistance

Following significant changes in the Finance Department, Melissa Harrill is currently assessing the position descriptions and rewriting them to reflect the City's current needs. She is mapping the workflow for all duties and function of each position description. She is also creating a skill set and evaluating the current gaps for each position. Lastly, she is training the new staff on best practices for revenue collection and is assisting the new CFO in the transition to SC and Orangeburg.

City of Georgetown Finance Department Assistance

Melissa Harrill is also working with the Finance Department for the City of Georgetown as they work to rebuild and restructure the department. While there she is assessing the workflow for the revenue collections for utility bills, local accommodations and hospitality taxes, and business license taxes. She is meeting with staff members to understand the current status of the department and identify areas for improvement. Ultimately, she will compile a resource handbook for the customer service representatives to quickly handle customer concerns and will work with the CSRs to ensure they understand why the calculations and rules are what they are. Based on the feedback she is receiving, she will create a workflow that includes both the permitting and business licenses of contractors.

VILLAGE OF PERRY ORGANIZATIONAL ASSESSMENT AND RECRUITMENT



Scope

Conduct organizational assessment of Village Administration, provide interim leadership, and lead the search for the Village Administrator.

Process

In 2020, Perry experienced turnover in their Village Administrator position, and called on MRB Group* to support recruitment and interim management services. We identified multiple leadership challenges and supported the Village Board in a complete overhaul of Village offices, as well as several strategic hires in key leadership positions.

Following an organizational assessment, we identified leadership gaps in multiple departments and proposed several operational process improvements. Once we helped fill the key department leadership positions, we performed a national search while simultaneously leveraging our network of professional associations and personal leadership connections. This resulted in a pool of 20 candidates. We supported the Village Board in scoring, ranking, and facilitating remote interviews with finalist and in-person interviews with the top three candidates.

Results

Following the Board's decision, MRB Group assisted with negotiations and a new Village Administrator was seated. The candidate remains in the role today and the Village recently announced a \$10 million NYS Downtown Revitalization Initiative (DRI) award.

**Swiftwater Strategies is a wholly-owned subsidiary of MRB Group. Some searches were performed under MRB Group but have since moved under Swiftwater.*

Client

Village of Perry

Location

Village of Perry, NY

Dates

Began June 2020

Completed December 2020

Contact

Rick Hauser, Mayor

P: 585-991-3893

E: rick@insitearch.com

Services

- Organizational Assessment
- Interim Management
- Advertisement and Recruitment
- Candidate Assessments
- Scheduling and Coordination of Interviews
- Reference Checks



FLORENCE COUNTY ADMINISTRATOR SEARCH



Scope

Conduct a national search for the new County Administrator for Florence County.

Process

Due to the retirement of the long-standing Administrator, Florence County hired Swiftwater to conduct the search for his successor. Working with an aggressive timeline, we met with the search committee to determine what qualities were most desired in a candidate. With this information and updated job description, we began our search through multiple channels including our own social media pages and word-of-mouth in our networks. We allowed four weeks for the job postings and application period.

Swiftwater completed the initial screening of the candidate pool against a rubric determined by the committee. Those who met the minimum requirements were given a phone screen with our team. We provided a summary of each candidate including information such as salary request to the committee with a recommendation of candidates to move to the next round. Swiftwater handled all scheduling and developed questions for the committee to ask in the second round. We guided the committee through the interviews after which they selected four finalists.

Prior to the final interviews, Swiftwater conducted professional reference checks, had each candidate complete a DiSC assessment, and coordinated with the County who performed background and credit checks. Each candidate was given an assignment to present at their final interview with County Council outlining what their 90-day plan would look like should they be selected.

Results

From a finalist pool of four candidates with one withdrawing, the County Council successfully selected a new Administrator who began in February of 2023. Our team remained available whenever the committee had questions and provided regular updates.

Client

Florence County Council and Administration

Location

Florence County, SC

Dates

Began October 2022

Completed January 2023

Contact

William Dorriety, Council Chairman

P: 843-229-7088

E: wdorriety@florencoco.org

Services

- Job Description Update
- Advertisement and Recruitment
- Candidate Assessments
- Scheduling and Organizing Interviews
- Coordinating Catering
- Reference Checks
- Press Release Preparation



FORT MILL CFO/ASSISTANT TOWN MANAGER EXECUTIVE SEARCH



Scope

Conduct a search for the newly created CFO/Assistant Town Manager position in response to Fort Mill's rapid growth.

Process

The leadership in Fort Mill discovered the challenges in the current job market to recruit qualified candidates for this newly created position. They advertised the position initially on their Town website in June 2022. After months without success in finding a candidate, the Town contacted Swiftwater to see how we could help and hired us.

We discussed their previous approach, what worked and what didn't, and created an advertising plan using some previously used sites but adding some that hadn't been considered. While the job was advertised, Swiftwater team members reached out to their networks and sought potential applicants on LinkedIn. Swiftwater prepared and added information about the Town of Fort Mill to provide additional context for the position and entice applicants to attend.

With a narrow pool of candidates and numerous other communities looking to fill similar roles, Swiftwater conducted rolling interviews rather than waiting until the end of the advertisement period. The approach minimized the potential a qualified candidate may no longer be available or interested. We conducted initial screenings and provided the search committee a summary after each screening and the committee selected those they wanted to interview in a second and final round. Swiftwater prepared the questions and helped facilitate the virtual interviews.

Results

The Town extended an offer to their selected candidate. Swiftwater assisted with contract negotiations to reach a point all parties were content with. The CFO started July 2023.

Client

Town of Fort Mill

Location

Fort Mill, SC

Dates

Began February 2023

Completed April 2023

Contact

Chris Pettit, Assistant Town Manager

P: 803-835-1962

E: cpettit@fortmillsc.gov

Services

- Job Description Update
- Advertisement and Recruitment
- Candidate Assessments
- Scheduling and Organizing Interviews
- Reference Checks



FLORENCE COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP CEO SEARCH



Scope

Conduct a national search for the new Economic Development Partnership CEO.

Process

With the long-tenured CEO preparing to retire, the Florence County Economic Development Partnership hired MRB Group* to perform the search for a new CEO. Working with the search committee, we clearly identified the ideal candidate's qualities and desired attributes. We worked with the committee to revise and update the outdated job description. Our team put together a brochure highlighting Florence as part of a recruitment information packet. Once all the information was prepared, we advertised the job on multiple sites for a four-week period. Heather Simmons Jones was able to reach out to an expansive network of economic developers.

Keeping in mind the time commitments of the committee members, our team screened the initial pool of candidates to identify the standouts. We screened the candidates who met the minimum requirements. Following this process, we provided the committee a summary of the candidates and identified key differentiators. We offered our recommendation of candidates to move to the second round. We prepared questions and guided the committee through second-round virtual interviews.

When the pool was narrowed to its finalists, we provided DiSC assessments to the candidates, performed reference checks, and had each candidate complete an assignment to assess their abilities and present it for the final round of interviews.

Results

The committee made their selection and MRB Group assisted with negotiations. The new CEO was seated July 2022.

**Swiftwater Strategies is a wholly-owned subsidiary of MRB Group. Some searches were performed under MRB Group but have since moved under Swiftwater.*

Client

Florence County Economic Development Partnership (FCEDP)

Location

Florence County, SC

Dates

Began January 2022

Completed May 2022

Contact

Rocky Pearce, FCEDP Board Chair

P: 843-260-7536

E: rocky@pearceinvestments.com

Services

- Job Description Update
- Create Recruiting Packet
- Advertisement and Recruitment
- Candidate Assessments
- Scheduling and Organizing Interviews
- Coordinating Catering
- Reference Checks
- Press Release Preparation



COMMUNITY DEVELOPMENT DIRECTOR EXECUTIVE SEARCH



Scope

Conduct an assessment of department staff and functions, provide interim leadership, and lead the executive search for the Community Development Director.

Process

After the departure of the former director and supporting planning staff, Beaufort required interim leadership to maintain projects and provide services to its citizens. A Senior Planning Associate from the Charleston office was tasked with the administration of Beaufort's Form Based Code and supervision of departmental staff, commissions, and internal review committees. Concurrent with interim leadership, a departmental assessment was conducted to audit operations, interview stakeholders and members of outside organizations to determine what was working, and what was not.

After the assessment was complete, MRB staff established search criteria for the ideal candidate and worked with the City to form a selection committee. At the time of posting, sites such as the American Planning Associate and state chapter job boards were filled with senior level job postings.

To make Beaufort stand out among the rest, our team created a recruitment package, highlighting the community with the intention of attracting the most ideal of candidates. Three candidates were initially identified, however, all withdrew from consideration to accept other positions. Former City Manager Bill Prokop suspended the search for several months to allow the candidate pool time to replenish.

Results

During the second search attempt, new candidates applied and after a thorough search, the City of Beaufort extended an offer to their selection in October 2022 and he started in January 2023. Our Senior Planning Associate remained on-site for the first month to ensure a smooth and successful transition.

**Swiftwater Strategies is a wholly-owned subsidiary of MRB Group. Some searches were performed under MRB Group but have since moved under Swiftwater.*

Client

City of Beaufort

Location

Beaufort, SC

Dates

Began March 2022

Completed October 2023

Contact

Curt Freese, Community
Development Director

P: 843-525-7012

E: cfreese@cityofbeaufort.org

Services

- Job Description Update
- Create Recruiting Packet
- Advertisement and Recruitment
- Candidate Assessments
- Scheduling and Organizing Interviews
- Reference Checks



DIRECTOR OF GLOBAL BUSINESS DEVELOPMENT EXECUTIVE SEARCH*



Scope

Conduct a national search for the Director of Global Business Development position

Process

In 2011, CRDA had a vacancy in the role charged with driving global marketing and business development to the world's companies, entrepreneurs, and professional talent. The VP of Global Business Development and VP of Operations reached out to Heather to consult with the organization on the redesign of the job description, compensation analysis, and retained search for the ideal candidate to join the CRDA team. During this engagement, Heather worked directly with the VP of Global Business Development to create a candidate profile, advertise the position, source and screen qualified candidates, design interview questions as well as negotiate and deliver an executed contract.

In the first week of the engagement, confidence in the process and Heather's leadership were garnered and a seamless process outlined. Details were quickly gathered, cadence and authority for decision-making was decided, and the job description, candidate profile, and organizational overview were agreed to, culminating in a national search.

Utilizing her strength of network from decades of leadership in public administration and economic development, Heather leveraged those contacts to identify "passive" candidates, referrals, and those in active transition. In parallel, she screened the applicants received nationally against the candidate profile to narrow the list to eight professionals and submitted to CRDA leadership.

Results

After a preliminary review by CRDA decision-makers, phone screens were completed and an additional review given, resulting in four candidates under consideration. Heather supported the CRDA team during two rounds of interviews. The final steps resulted in the selection of an "ideal" professional and the mutual execution of a contract.

**Work completed by Heather Simmons Jones while under previous employment*

Client

Charleston Regional Development Alliance (CRDA)

Location

Charleston, SC

Dates

2011

Contact

Brigadier General Henry "Hank" Taylor, Retired (serving as VP of Global Business during the search)
P: 937-532-6446
E: taylor-henry@att.net

Services

- Job Description Update/Redesign
- Advertisement and Recruitment
- Candidate Assessments
- Scheduling and Organizing Interviews



RECRUITMENT AND INTERIM MANAGEMENT SERVICES*



Scope

National and international search for a Business Development Director (2010) and Interim Management Services (2013).

Process

MRB Group's Heather Simmons Jones was engaged for multiple services by Greenwood Partnership Alliance over the past decade including a retained executive search for the position of Business Development Director, interim management services, and organizational development.

In 2010, Greenwood Partnership Alliance had experienced several turnovers in key positions resulting in instability of the organization's team, Board, and role in the community. Heather was engaged to hire a Business Development Director to lead the international and national recruitment efforts of the organization and establish stability internally amongst other staff members. In 2013, with the departure of the Chief Executive Officer Heather was hired by the Board Chairman to lead the organization on an interim basis with the key goals of stabilizing the organization, assessing the current team, restructuring the public-private funding mechanism, and creating both policies and job descriptions.

Results

Having experience in both human resources and economic development, Heather was uniquely qualified and immediately imbedded into the needs of the organization. Heather met with internal staff and volunteer leadership to establish the recruitment process, timeline, and candidate profile before quickly moving toward an international search. This process resulted in the successful identification, selection and hiring of a bi-lingual professional with degrees and experience in international trade. Heather's ability to relate to the candidate and relay the unique nuances of moving to small, southern town were key to this candidate placement.

Years later as a trusted partner to the organization, Heather was again engaged to provide leadership to assess the internal strengths and weaknesses of the organization, while simultaneously providing an overhaul of human resources, membership recruitment, and funding. This engagement provided a path forward for the organization resulting in a decade of unprecedented capital investment and funding.

**Work completed by Heather Simmons Jones while under previous employment*

Client

Greenwood Partnership Alliance

Location

Greenwood, SC

Dates

2010 and 2013

Contact

Dan Martins (serving as Board Chair for the Interim management contract)
E: danmartins@aol.com
P: 704-641-8079

Services

- Advertisement and recruitment
- Candidate Assessments
- Scheduling and Organizing Interviews
- Interim Leadership
- Organizational Assessment



PROJECT TEAM MEMBERS

Meet the Team



Greg Hotaling, P.E.

Greg is an experienced municipal engineer, having assisted many local officials and community boards. He has served as Town Engineer for nearly two decades and provides a unique and deep understanding of the Town and what is most important.



Heather Simmons Jones

Led the successful searches and recruitment for multiple municipal leadership positions in South Carolina recently and with previous employers. Her municipal experience has provided her with an understanding of multiple key positions within cities and counties and helps her to ask questions to adequately determine a candidate's level of knowledge.



Katie McFarland

Worked with Heather on multiple searches assisting with administrative support, facilitation of interviews, and coordinating regularly with the selection committee to provide updates. She assisted with Director searches while working at the College of Charleston coordinating interviews and campus visits.



Matt Horn

As a former assistant city manager and municipal consultant, Matt provides the knowledge of understanding internal processes, public relations, and the development of local government capacity. He brings a vast network of municipal professionals.



GREG HOTALING, P.E.

Senior Project Manager

EDUCATION

B.S. Environmental Resource Engineering (EAC/ABET), SUNY College of Environmental Science and Forestry

PROFESSIONAL LICENSE

Professional Engineer:
New York 081010

PROFESSIONAL AFFILIATIONS

New York Water Environment Association (NYWEA)
Finger Lakes Water Works Conference (FLWWC)

ABOUT

Served as Canandaigua Town Engineer for 18 years. Extensive civil and environmental engineering experience includes conducting water/wastewater studies and evaluations, planning, and designing water/wastewater treatment plant upgrades, water and sewer main installations, and road and drainage improvements.

In-depth background and direct experience as municipal engineer, assisting local officials and community boards in infrastructure analysis, long-range strategic planning, and environmental review. Strong familiarity with federal, state and local regulatory and permitting processes.

EXPERTISE

General Municipal Engineering Services – Represents municipalities in an advisory capacity, providing guidance to town boards, planning boards, zoning boards, various advisory boards, and town staff as Engineer-of-Record. Significant experience in evaluating preliminary design concepts, reviewing and updating site plans, preparing development regulations, establishing special districts, and managing the design of water, sewer, road, drainage, lighting, and traffic projects. Proficient in New York State's Environmental Quality Review (SEQR) process, providing expert guidance to ensure accuracy and regulatory compliance. Highly knowledgeable in preparing draft generic and final Environmental Impact Statements (DGEIS/FEIS).

Water/Wastewater Improvement Projects – Experienced in preparing thorough engineering reports, facility master plans, and hydraulic analyses. A proven track record for system design and upgrades that increase capacity, maximize operational efficiency, and enhance treatment quality. Expertise in the design and layout of water treatment and storage facilities, force mains, sanitary sewers, pump stations and appurtenances. Strong familiarity with the evaluation, extension, and formation of consolidated water districts.

Road and Drainage Projects – Experience in the construction and rehabilitation of intersections and roadways, including drainage systems and culverts, storm sewers, and sidewalks. Project management includes design development, design, bidding, construction phase services, permitting, and easements.



HEATHER SIMMONS JONES, SCCED

Director of Southeast Operations

EDUCATION

M.A. Human Resources Development, Clemson University

B.A. English, Clemson University

PROFESSIONAL AFFILIATIONS

South Carolina Certified Economic Developer

South Carolina Economic Developers Association

SC Executive Institute, Harvard Business School

Diversity Leaders Initiative, Furman University

Local Government Leadership Institute (SC) - Advanced Programming

ABOUT

Strategic advisor, public administrator, non-profit leader, and economic development practitioner. Heather is a known entity in economic development in the Southeast, having worked primarily in South Carolina over the past two decades. A vast majority of Heather's experience is in start-up, stand-up, and funding strategies for public-private partnerships and community organizations in the economic development and workforce development arenas.

The communities Heather has served benefited from her leadership, vision, and energy needed to bring stakeholders together for consensus building and engagement.

EXPERTISE

Human Resources Development and Management – With a Masters in Human Resources, Heather has utilized her gift of relating to people as a contracted on-site resource for plant start-ups, as an executive recruiter, and as a creator of policy and procedures manuals. Whether it is a single, key leadership position or a comprehensive analysis of company culture, Heather has experience in leading talent recruitment, retention and developing organizations and teams to their highest potential.

Non-Profit and Public-Private Leadership – Led several public-private and non-profit organizations through successful creation, strategy, and funding development. As a board member for more than 50 non-profits throughout her career, Heather understands the inner workings of the internal- and external-facing facets of progressive organizations, and how to guide them through the various stages of the organizational lifecycle.

Executive Recruitment Services

- Charleston Regional Development Alliance - Director of Global Business Development Executive Search
- Greenwood Partnership Alliance - Business Development Director
- Florence County Economic Development Partnership - CEO Executive Search
- Florence County - County Administrator Executive Search
- Fort Mill - CFO/Assistant Town Administrator Executive Search



MATHEW D. HORN

Director of Municipal Services

EDUCATION

B.S. Public Administration,
James Madison University

PROFESSIONAL AFFILIATIONS

Credentialed Manager,
International City-County
Managers Association

Named to 2016-2017 "Top
100 Local Government
Influencers"; Engaging
Government Leaders

Member, Local Leaders
Council, Smart Growth
America

ABOUT

Former City Manager and municipal operations expert with a strong background in strategic economic development, long range planning, and community engagement. Extensive experience in public budgeting and finance, collaborative service delivery, comprehensive planning, downtown revitalization and economic development.

Municipal consulting background includes internal process auditing, public relations assistance and guidance, and development of local government management capacity, as well as long-term strategic planning for community growth.

EXPERTISE

Community Planning / Enhanced Management Capacity –

As former municipal consultant for Washington-based local government support services firm, worked closely with the International City-County Managers Association, National League of Cities, and other government leadership associations. Supported community development efforts and developed strategic plans to address service delivery challenges, public works and aging infrastructure, parks and recreation services, and public safety, as well as other critical municipal services for more than 50 clients.

Strategic Development – Engaged with client communities to conduct a range of studies and identify best practices and implement solutions to address challenges and support long-term community sustainability. Developed feasible implementation plans for innovative approaches, based on direct knowledge of municipal operations and unique familiarity with local government fiscal constraints, regulatory requirements, labor impacts, and statutory guidelines.

Regional / Shared Services Approaches– As City Manager, worked to establish collaborative relationships and develop a shared-services approach to municipal and community service needs. Coordinator of data-driven implementation of integrated staffing and program management, including completion of workflow analysis and workload assessment.

Hands-on Municipal Management / Innovative Leadership –

Worked directly with municipal officials to implement community goals through strong team leadership and successful management of personnel in multiple departments and across several disciplines.



KATIE MCFARLAND

Project Coordinator

EDUCATION

M.A. Communications,
College of Charleston

B.P.S. Applied
Communications, College of
Charleston

PROFESSIONAL AFFILIATIONS

Former Southeast Region
Association for Physical Plant
Administrators (SRAPPA) VP for
Communications

Association for Proposal
Manager Professionals

ABOUT

Creative and resourceful administrative professional with 10 years of successful administrative support and proposal writing experience. Skilled in data analysis, reporting, strategic communications, research, and identifying trends.

Assisted regional directors, deans, and institutional vice presidents helping drive strategic efforts and organizational assessments. Worked with facilities management executive leadership of major colleges and universities in the Southeast region.

EXPERTISE

Executive Recruitment – Provided administrative and logistical assistance in the searches for multiple clients. Researched and prepared interview questions relevant to the position, coordinated between identified municipal individuals and candidates, compiled information for advertisement and recruitment and prepared marketing materials to accompany the job description, and assisted with interviews and screenings. Previous experience assisting with key leadership at the College of Charleston and as a staffing company recruiter.

Organizational Culture Data and Trend Analysis – Led an organizational cultural assessment survey for the Facilities Management department at the College of Charleston. From the results, analyzed the data with Microsoft Excel and produced a report including an executive summary, methodology, and summary of findings. The Leadership Team is using this report to guide their strategic planning for the department and it was key in identifying areas of opportunity for improvement based on the data.

Strategic Communications - Served as the VP for Communications as a member of the SRAPPA Executive Board while working at the College of Charleston. Duties included:

Strategic Planning – As a member of the College of Charleston's Facilities Leadership Team, participated in strategic planning sessions, performed SWOT analyses, identified objectives, defined tactics, and helped to establish metrics. Followed and tracked the metrics, analyzed that data for trends.

Our Approach



Swiftwater helps build great organizations by attracting and acquiring top talent for critical executive positions in municipalities and non-profits. We recognize the importance and challenge of finding great people to join and lead your team.

1. Background Information

Our team will conduct a facilitated session with key leadership to identify a steering committee and gain insights to the organizational culture and the conditions surrounding the current vacancy. We will also evaluate the prior representative against your expectations and determine what qualities about that individual were valued by the council, and where gaps exist.

We'll work with the committee to determine whether there are preferred regional or internal candidates, and develop a project plan around milestones for seating the new hire.

2. Define Position Requirements

Once we have a solid project plan, we will re-affirm the job description and agree on "must-have" vs. "preferred" qualifications. We will also specify short-range and long-range expectations for the position, along with timelines within which the successful candidate will be required to perform said expectations.

Finally, we'll zero in on compensation, benefits, relocation, and other elements that may be included in the potential negotiation.

3. Delineate Candidate Attributes

We'll identify specific attributes that the successful candidate should possess with demonstrative examples.

This step, along with the position definition and information garnered during the background assessment, should yield a "preferred candidate" profile. Coupled with the attached job description, these both would focus the search towards types of candidates that would best suit the role.

4. Recruit Potential Applicants

With feedback gleaned from the steering committee during the background assessment, it is now time to publicize the announcement for the job and recruit potential candidates through Swiftwater's networks and partner organizations.

A uniform submittal requirement will be developed, which for round one candidates would include a cover letter, resume, salary history, five professional references, and a writing sample.

5. Assess and Evaluate Candidates

We will determine the candidates' standings against the targeted attributes which will be summarized into a rubric for evenhanded measurement.

Swiftwater will guide the assessment of candidates through all rounds of interviews, as well with the organization's internal HR function to check background, references, and educational

credentials prior to the final interviews. Additionally, we will work with the local staff designee to schedule interviews, travel, and assessment meetings.

We will work with the steering committee to determine the best method of interviews based on the timeline of the client. Interviews can be conducted following an initial search, selecting those qualified from a large pool of candidates or as rolling interviews - conducting initial screenings as the resumes come to us.

6. Selection of Final Candidates

During this phase, Swiftwater will support the committee's efforts to provide any relocation information such as connecting the finalists with a real estate agent, how to address spousal work needs, and connect candidates with local educational resources in area schools. Civic drop-ins or other requests by the committee will also be jointly agreed to and scheduled for finalists prior to final candidate selection.

Upon completion of the final round of interviews, Swiftwater will connect with each candidate to solicit any questions, concerns, or outstanding information required of the candidate and report that information back to the committee. At the discretion of the committee, the negotiation of final employment details can be handled by our team or left to the charge of the search committee.

During the selection phase, Swiftwater will be assisting the community only in an advisory capacity. The decision will be made solely by the selection committee, unless otherwise requested.

7. Process Improvement

After the successful onboarding of the candidate, Swiftwater will hold "exit interviews" with the candidate as well as the committee to learn areas of improvement in the process.

Fee

Total Compensation..... \$19,750

REIMBURSABLE EXPENSES

Any additional expenses related to staff travel, actual costs associated with booking flights or accommodations for candidates, advertisements, assessments, or customary expenses associated with the executive search will be reviewed with the client and billed back at actual costs.

If any additional services or work beyond this fee and outside the scope of this proposal are requested they would be reviewed with the client to determine scope, schedule, and fee. Swiftwater will submit monthly statements for services rendered during each invoicing period based on the efforts performed during that period. Swiftwater Standard Rates are subject to annual adjustment.